



## RECORD OF POWERS DELEGATED BY THE EXECUTIVE DIRECTOR FOR PLACE

### Scheme of Delegation for Environmental Health

<b>Date last reviewed:</b>	April 2025
<b>David Shepherd Executive Director for Place</b>	<i>Approved by Signature:</i> 
<b>Date Approved:</b>	April 2025
<b>Version No:</b>	V1.7
<b>Review Date:</b>	April 2026
<b>Directorate contact officers:</b>	Judith Stones

## DELEGATED POWERS

### Purpose

To set out the delegations from the Executive Director for Place, in accordance with the requirements of Part 3.7, paragraph 6 of Section F of the Council's Constitution.

### Related Policies & Documents

- **Council Constitution - Part 2 - Decision making by officers (Article 13.6)**  
<http://www.kirklees.gov.uk/beta/your-council/pdf/constitution-part-2.pdf>
- **Council constitution - Part 3 – Responsibility for functions (Section F)**  
<http://www.kirklees.gov.uk/beta/your-council/pdf/constitution-part-37.pdf>
- **Council Constitution - Part 4 - Financial Procedure Rules (Part 4.6)**  
<http://www.kirklees.gov.uk/beta/your-council/pdf/constitution-part-46.pdf>

## Key Statutes/Legislation

The following pieces of legislation are applied in the delegated decisions specified in this document:	
Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020	Environmental Permitting (England and Wales) Regulations 2016 (as amended)
Animal By-Products (Enforcement) (England) Regulations 2013 (as amended)	Environmental Protection Act 1990
Animal Health Act 1981(as amended)	Environmental Protection (Plastic Plates etc. and Polystyrene Containers etc.) (England) Regulations 2023
Animals (Penalty Notices) Act 2022	Equine Identification (England) Regulations 2018
Animal Welfare Act 2006	Food and Environment Protection Act 1985 (FEPA)
Animal Welfare (Licensing of Activities Involving Animals) (England) Regulations 2018	Food Safety & Hygiene (England) Regulations 2013
Animal Welfare (Livestock Exports) Act 2024 – to be updated once enforcement regulations are in-force.	Food Safety Act 1990 (as amended) and any Orders or Regulations made thereunder or having effect by virtue of the European Communities Act 1972 and/or the European Union (Withdrawal) Act 2018 and any modification or re-enactment to the foregoing.
Animals Act 1971 (as amended by the Control of Horses Act 2015)	Health Act 2006
Anti-Social Behaviour, Crime and Policing Act 2014	Health and Safety (Enforcing Authority) Regulations 1998
Building Act 1984	Health and Safety at Work Etc. Act 1974
Caravan Sites and Control of Development Act 1960 as amended	Health Protection (Local Authority Powers) Regulations 2010
Cattle Identification Regulations 2007	Health Protection (Part 2A Orders) Regulations 2010
Clean Air Act 1993	Licensing Act 2003
Clean Neighbourhoods and Environment Act 2005	Local Government (Miscellaneous Provisions) Act 1976
Contaminants in Food (England) Regulations 2013	Local Government (Miscellaneous Provisions) Act 1982
Control of Pollution Act 1974 (as amended)	Natural Mineral Water, Spring Water and Bottled Water Regulations 2007 (As amended)
Control of Pollution (Amendments) Act 1989 Criminal Procedure & Investigations Act 1996	Noise Act 1996 as amended by the Anti-Social behaviour Act 2003
Dangerous Wild Animals Act 1976	Noise and Statutory Nuisance Act 1993 (N&SNA)
Eggs & Chicks (England) Regulations 2009	Official Feed & Food Controls (England) Regulations 2009 (as amended)
Environment Act 1995	
Environment Act 2021	
Environmental Damage (Prevention and Remediation) (England) Regulations 2015	

**The following pieces of legislation are applied in the delegated decisions specified in this document:**

<p>Police &amp; Criminal Evidence Act 1984          Pollution Prevention &amp; Control Act 1999          Prevention of Damage by Pests Act 1949          Private Water Supplies Regulations 2016          Products of Animal Origin (Disease Control) (England) Regulations 2008          Products Containing Meat etc. (England) Regulations 2014          Public Health (Control of Disease) Act 1984 (as amended)          Public Health (Infectious Diseases) Regulations 1988          Public Health Act 1936          Public Health Act 1961          Registration of Establishments (Laying Hens) (England) Regulations 2003          Regulatory Enforcement &amp; Sanctions Act 2008          Regulation of Investigatory Powers Act 2000 (as amended)</p>	<p>Trade in Animals &amp; Related Products Regulations 2011          Transmissible Spongiform Encephalopathies (England) Regulations 2018          Water Industry Act 1991          Welfare of Animals at Time of Killing (England) Regulations 2015          Welfare of Farmed Animals (England) Regulations 2007 (as amended)          West Yorkshire Act 1980          Zoo Licensing Act 1981 and the Zoo Licensing Act 1981 (Amendment) (England and Wales) Regulations 2002          Zoonoses (Monitoring) (England) Regulations 2007</p>
--	--

## Who is governed by this policy?

The scheme of delegations will apply to all permanent, contract and temporary officers working for the Council.

## Summary

The Council's Constitution requires that each Executive Director will prepare service schemes of delegation which set out how decisions will be made in each of the Services for which they are responsible. Such schemes should clearly identify which officers have been authorised to make decisions under the delegated powers of the Executive Director. All schemes of delegation will be lodged with the Council's Monitoring Officer and made available to the public on request.

Each Service Director or Monitoring Officer has the authority to make amendments to the Scheme of Delegation necessitated by legislative changes as and when appropriate.

Officers may only exercise the powers delegated to them in accordance with all relevant statutory requirements, the provisions of the Council's Constitution, the revenue and capital budgets of the Council, its Procurement Code, Financial Regulations and other relevant policies and procedures.

Delegation is simply a way of allocating matters to the levels appropriate to ensure that the Services business is dealt with in the most efficient way possible. Delegated power will normally be exercised at the lowest level to which it has been given. However, all such powers will also be held by the Executive Director.

In this scheme of delegation, it is assumed that all officers in a position of seniority to the job role to which a delegation has been allocated, is also delegated to exercise that function, assuming that they have the same technical competence or in the absence of that technical competency, have been appropriately advised.

Where an officer post to which any function has been delegated is renamed or is affected by a staffing reorganisation, then the relevant delegation shall be treated as applying to the renamed post or, as appropriate, to the post which has been allocated the same or substantially the same relevant duties as the original post following that reorganisation.

In exercising the powers delegated to them officers must observe any additional procedural requirements that apply within their services e.g. any requirement to consult local ward councillors, cabinet members and/or the leader. It is also good practice to keep local ward councillors informed of decisions made and implemented under delegated powers that significantly affect members of the community in their ward.

In addition to the above:

a) Officers<sup>i</sup> have the authority to:

- Present the Council's case (whether written representations, at informal hearing or public inquiry) on appeals and references to the Secretary of State
- To give evidence in the Council's case on appeals to the Magistrates Court against relevant legislation referred to in pages 5 to 60 (inclusive) of this document
- To give evidence in the Council's case in legal proceedings in the Magistrates' Court, Crown Court and County Court
- To attend the Magistrates' Court to apply for warrants under the relevant legislation referred to in pages 7 to 81 (inclusive) of this document
- Attend Court to prosecute, defend and appear in any proceedings brought before the Magistrates' Court. (In accordance with section 223(1) of the Local Government Act 1972, the Legal Services Act 2007 and the delegated powers of the Service Director – Legal, Governance and Commissioning set out in Part 3 Section F of Council's Constitution.

b) Officers<sup>ii</sup> have the authority to:

- Instigate prosecutions for any other offences contained within the Key Statutes/ Legislation listed above and not already specifically referred to in this document

c) Officers<sup>iii</sup> have the authority to:

- Issue cautions for any offences referred to in this document together with reference to the Enforcement Strategy

This information with regard to powers to authorise prosecutions/ legal proceedings will be included within each instruction sent to Legal services to place before the Courts. Each instruction will be signed off by a duly authorised person.

---

<sup>i</sup> All or as specified

<sup>ii</sup> Senior Manager Head of Service (all prosecutions), Operational Manager (for non-complex prosecutions that relate to an individual(s)), Service Director (all prosecutions), Director (all prosecutions)

iii Team Manager, Environmental Health/Public Protection Group Leader, Senior Manager (Operational Manager and/or Head of Service), Service Director, Executive Director

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
<b>Air Quality (Domestic Solid Fuels Standards) (England) Regulations 2020</b>														
<b>Reg. 17 Power for officer to: enter premises at any reasonable time; inspect a supplier’s goods; make test purchases of a supplier’s goods; require a supplier to produce documents or to provide information (only if reasonably believe an offence has been committed); question a supplier or officers or employees of a supplier.</b>				✓	✓	✓	✓	✓			✓	✓	✓	
<b>Reg. 18 Power to issue a penalty notice to a person believed to have committed an offence under these Regulations.</b>								✓				✓	✓	
<b>Reg. 22 Power to bring proceedings against a person who asks to be tried for the alleged offence, or fails to pay a penalty before the end of the period for payment . *Operational Manager</b>								✓*				✓	✓	
<b>Reg. 23 Power to withdraw penalty notice.</b>								✓				✓	✓	
<b>Reg. 24 Power to recover the expenses reasonably incurred in enforcing these Regulations.</b>								✓				✓	✓	
<b>Animals Act 1971 (as amended by The Control of Horses Act 2015)</b>														
S.7A Power for a LA to detain horses			✓			✓ <sup>1</sup>	✓ <sup>1</sup>	✓				✓	✓	
S.7C Power to dispose of a horse Power to recover costs			✓ ✓			✓ <sup>1</sup>	✓ <sup>1</sup>	✓				✓	✓	
<b>ANIMAL BY-PRODUCTS (ENFORCEMENT) (ENGLAND) REGULATIONS 2013 (as amended)</b>														
To appoint officers to enforce the provisions of Animal By-Products Regulations which are made under the European								✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Communities Act 1972 and retained by the European Union (Withdrawal) Act 2018														
Reg. 21 Power for LA to enforce the regulations relevant to Animal Health officers and Food Safety in terms of ensuring animal waste does not go for animal feed			✓ <sup>1</sup>		✓ <sup>1</sup>	✓	✓	✓				✓	✓	
Reg. 22 Power for LA to appoint an Authorised Person to enforce the regulations								✓				✓	✓	
Reg. 23 Power of entry and to inspect premises.  Other powers including: Take such other persons and any equipment or materials as necessary; make examinations or investigation as necessary; direct that the premises, or part of them, are left undisturbed for the purposes of examination.  Take such measurements and photographs and make such recordings as are considered necessary; in relation to any article or substance - take samples, test or take possession of something and retain it to ensure that it is available for use as evidence etc.; require the production of information and to inspect and take copies of, or of any entry in, the records; require any persons to assist them; to mark any animal or animal by-product etc.			✓ <sup>1</sup>	✓	✓	✓	✓	✓				✓	✓	
Reg. 25 Power to serve a Notice requiring disposal of animal by-products and storage pending such disposal; disinfection and cleansing; prohibition of animal by-products being moved or brought onto premises etc.			✓ <sup>1</sup>			✓	✓	✓				✓	✓	
Reg. 26 Power to disclose information for enforcement purposes to a comparable enforcement authority or authorised person.							✓	✓				✓	✓	
<b>ANIMAL HEALTH ACT 1981 AS AMENDED BY THE ANIMAL HEALTH ACT 2002</b>														

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
S.3 An authorised person, for the purposes of inspection may enter land or premises and apply such tests and take such samples as necessary.			✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	
S.16 Power to enter land or premises, for the treatment with serum or vaccine of any animal or bird, to prevent the spread of disease and to take such persons as necessary to assist and such equipment as deemed necessary; power to require any person to give assistance as reasonable.			✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	
S.49(1) Power to enter a vessel or aircraft			✓				✓	✓	✓		✓		✓	✓	
S.49(2) Power to enforce the relevant sections if directed by the Minister			✓	✓	✓	✓	✓	✓			✓	✓	✓		
S.50 (5) Powers to execute and enforce the Act and any Order of the Minister that is to be executed and enforced by the LA.			✓	✓	✓	✓	✓	✓			✓	✓	✓	✓	
S.52 Relating to appointment of inspectors and other officers for execution and enforcement of Act, Regulations and Orders made thereunder								✓					✓	✓	
S.53 Power to borrow for the purposes of this Act								✓					✓	✓	
S.54 Power for the LA to provide, erect and fit up wharves, stations, lairs, sheds and other places for the landing, reception, keeping, sale, slaughter or disposal of imported or other animals, carcasses, fodder, litter, dung and other things. Power to charge for the use of a wharf or other place provided by them under this section sums may be imposed by byelaws. Requirement to make periodical returns to the Minister of the expenditure and receipts in respect of the wharf or other place.													✓	✓	Charges created by Byelaws.
S.55 Power for LA to acquire land								✓					✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.57 Power to recover costs for the burial or destruction of a carcase which, was thrown or washed from any vessel.								✓				✓	✓	
S62A Power of entry to slaughter			✓ <sup>1</sup>			✓	✓	✓				✓	✓	
S.62C Power for inspector to take such persons, as necessary to give assistance and such equipment as necessary. Power to require any person on the premises to give assistance as necessary.			✓			✓	✓	✓				✓	✓	
S.63 General Powers of Inspectors and power of entry onto land or shed or other building/place to which this Act applies.		✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	
S.64 Powers of Inspectors as to poultry (if Minister authorises LA inspector) to enter any pen, shed, land or other place where there are reasonable grounds for supposing that poultry are or have been kept; and to examine any receptacle or vehicle used for the conveyance or exposure for sale of poultry.		✓	✓ <sup>1</sup>	✓	✓	✓	✓	✓				✓	✓	
S.64A Powers of Inspectors to enter land, vessels & aircraft for the purposes of ascertaining whether any assimilated law within an order made under this Act has been or is being complied with. And to carry out such inspections, as necessary for that purpose.		✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	
S.65 Power to detain vehicles and aircraft		✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	
S65A Power to Inspect Vehicles		✓	✓	✓	✓	✓	✓	✓		✓	✓	✓	✓	
S.83 Service of notices			✓			✓	✓	✓				✓	✓	
S. 91 (2) LAs to publish every order of the Minister and every licence or other instrument sent to them by the Minister														
ANIMALS (PENALTY NOTICES) ACT 2023														
S.1 Power for an enforcement authority to issue a fixed penalty notice to the person in relation to offences committed under the following legislation:												✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference		
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD			
<p>(a) an offence under regulations made under section 2(2) of the European Communities Act 1972 which the Secretary of State considers relates to animals or animal products;</p> <p>(b) an offence under the Dangerous Wild Animals Act 1976;</p> <p>(c) an offence under section 19 of the Zoo Licensing Act 1981;</p> <p>(d) an offence under the Animal Health Act 1981;</p> <p>(e) an offence under the Animal Welfare Act 2006 or under regulations made under section 12 or 13 of that Act;</p> <p>(f) an offence under the Wild Animals in Circuses Act 2019.</p> <p>S. 4 Power to determine the issue of a fixed penalty notice for offences above and the amount of such fixed penalty notice, subject to guidance issued by the Secretary of State and any additional local procedures determined by the Service Director.</p> <p>S.5 The amount to be retained as considered 'reasonable expenses' shall be determined by the Head of Service</p>																
<b>ANIMAL WELFARE ACT 2006</b>																
S.10 Power for inspector to issue a Welfare Improvement Notice		✓	✓ <sup>1</sup>	✓ <sup>1</sup>			✓ <sup>1</sup>	✓		✓	✓	✓	✓			
<p>S.18 Powers regarding animals in distress (applies to all powers):</p> <p>S.18(1) Power to take such steps as immediately necessary to alleviate distress (does not authorise destruction)</p> <p>S 18(3) Power to destroy animal or alleviate its suffering, with a veterinary certificate</p> <p>S.18(4) Power to destroy animal or alleviate its suffering, without a veterinary certificate</p> <p>S.18 (5) Powers to take an animal into possession, if a veterinary surgeon certifies the animal is suffering, or it is likely to suffer if its circumstances do not change.</p>		✓	✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓			✓		✓			

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.18(6) Power to take an animal into possession without a veterinary certificate where it appears an animal is suffering is likely to do so if its circumstances do not change and it is not reasonably practicable to wait for a veterinary surgeon. S.18(7) Power to take into possession dependent offspring of an animal taken into possession. S.18(8) Power to remove an animal to a place of safety, care for it and mark it for identification purposes. S.18(9) Power to make use of any equipment on the premises for the purposes of caring for the animal.														
S.19 Powers of entry for inspector.		✓	✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓		✓	✓	✓	✓	
S.25 Power to inspect records required to be kept by the holder of a licence		✓	✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓		✓	✓	✓	✓	
S.26 Power of entry to carry out inspection in connection with licences		✓	✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓		✓	✓	✓	✓	
S.27 Power of entry to inspect in connection with registration		✓	✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓		✓	✓	✓	✓	
S.28 Inspection of farm premises.			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓				✓	✓	
S.29 Power to inspect in relation to regulations under S.12 which are assimilated law		✓	✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓		✓	✓	✓	✓	
S.30 Power for LA to prosecute under this Act. And instruct Legal Dept. * Operational Manager								✓*				✓	✓	
S.51 Appointment of Inspectors – details LA appointed inspectors.								✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
S.53 Supplementary powers of entry which includes power to take persons onto premises and to require assistance (detailed under Sch. 2)		✓	✓				✓	✓	✓		✓	✓	✓	✓	
S.54 Power to stop and detain a vehicle (if accompanied by a constable in uniform), for the purposes of entering and searching it and/or inspecting it in the exercise of a power under S. 19.		✓	✓				✓	✓	✓		✓	✓	✓	✓	
S.55 Power to stop and detain vessels, aircraft and hovercraft.		✓	✓				✓	✓	✓		✓	✓	✓	✓	
<b>ANIMAL WELFARE (LICENSING OF ACTIVITIES INVOLVING ANIMALS) (ENGLAND) REGULATIONS 2018</b>															
R. 4(2)(a) Appointment of inspectors to inspect								✓				✓	✓		
R.4(2)(b) Power to grant or renew licence to operator								✓				✓	✓		
R.4(3) Power to attach conditions to licences								✓				✓	✓		
R.4(4) Power to appoint a listed veterinarian to inspect premises for hiring out horses on application								✓				✓	✓		
R.4(5) Power to appoint a veterinarian to inspect premises breeding dogs								✓				✓	✓		
R.6 Power to take samples from any animals on premises occupied by an operator			✓ <sup>1</sup>				✓	✓	✓		✓	✓	✓		
R.8 Power to appoint a veterinarian to inspect premises licenced in relation to the hiring out of horses annually								✓				✓	✓		
R.9 Power to vary a licence on application or with consent of the licence holder								✓				✓	✓		

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
R.13 Power of LA to charge fees for the consideration, grant, renewal or variation of a licence and anticipated costs of compliance and enforcement														✓	Fee amount set by Service Director in accordance with Financial Procedure Rules
R.15 Power to suspend, vary or revoke a licence without consent of the licence holder								✓				✓	✓		
R.21 Powers of entry and search under warrant as per S.23 of Animal Welfare Act 2006 where conditions have been breached			✓			✓	✓	✓			✓	✓	✓		
R.23 Power to issue a notice under these Regulations and for the notice to be amended, suspended or revoked.			✓			✓	✓	✓				✓	✓		
Animal Welfare (Livestock Exports) Act 2024 Regulations to be made under this Act, to enforce its provisions.															
<b>ANTI-SOCIAL BEHAVIOUR ACT 2003</b>															
Part1A (as amended by Section 118 Criminal Justice and Immigration Act 2008 & Clean Neighbourhoods & Environment Act 2005)															Note i
S.43 Power of Authorised Officer to issue Penalty Notice(s) for graffiti and fly-posting											✓	✓	✓		
<b>ANTI-SOCIAL BEHAVIOUR, CRIME AND POLICING ACT 2014</b>															
S.5(a) Power for LA to apply to the Court for an injunction against a person over the age of 10															Note ii
S. 43 Power to issue Community Protection Notices				✓ <sup>2</sup>	✓ <sup>2</sup>	✓	✓	✓	✓ <sup>2</sup>		✓	✓	✓		

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
S. 47 Remedial action by the Local Authority to have work carried out where a person fails to comply with a Community Protection Notice where this is in the open air or if the defaulter gives consent for the remedial works.					✓	✓	✓	✓	✓			✓	✓	✓	
S.49 (6) Remedial Orders – power for LA to issue a Notice to defaulter giving details of the work and the amount owed to the LA. The defaulter is liable for that amount.								✓				✓	✓	✓	Note ii
S.51(1) and S.51(1)(3) Power to enter premises to seize an item following the issue of a warrant by a justice of the peace.  S. 51(4) Power to retain the item seized subject to the requirements of the Act.				✓	✓	✓	✓	✓	✓			✓	✓	✓	
S. 52 Fixed Penalty Notices – power to issue a fixed penalty notice for offence of failing to comply with Community Protection Notice.					✓ <sup>4</sup>	✓ <sup>4</sup>	✓ <sup>4</sup>	✓	✓ <sup>4</sup>			✓	✓	✓	
S. 53 Definition of Authorised Persons								✓				✓	✓		
S.59 Power to make Public Space Protection (PSP) Order												✓	✓		Note ii
S.59A Power to make expedited Public Space Protection (PSP) Order												✓	✓		Note ii
S.61 Power to vary or discharge PSP Order								✓				✓	✓		Note ii
S.68 Power to issue Fixed Penalty Notice for person failing to comply with a PSP Order.					✓ <sup>4</sup>	✓ <sup>4</sup>	✓ <sup>4</sup>	✓	✓ <sup>4</sup>			✓ <sup>4</sup>	✓	✓	Note ii
S.76 Power to issue a closure notice and the power to apply to the court for a Closure Order.												✓	✓		

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.85 Power to enter premises in respect of which a closure order is in force and to do anything necessary to secure the premises against entry; and/or to carry out essential maintenance or repairs to the premises.					✓ <sup>4</sup>	✓ <sup>4</sup>	✓ <sup>4</sup>	✓	✓		✓	✓	✓	
S.88 Power for local authorities to seek reimbursement of costs for the clearing, securing or maintaining premises in respect of which a closure order is in force.							✓	✓	✓		✓	✓	✓	
<b>BUILDING ACT 1984</b>														
Part III Other Provisions About Buildings					✓	✓	✓	✓	✓			✓	✓	
S.59 Power to serve Notice regarding defective drainage					✓	✓	✓	✓	✓			✓	✓	
S.60 Power to serve Notice regarding use and ventilation of soil pipes					✓	✓	✓	✓	✓			✓	✓	
S.62 Power to require sealing of disused drains					✓	✓	✓	✓	✓			✓	✓	
S.64 Power to serve Notice requiring provision of closets					✓	✓	✓	✓	✓			✓	✓	
S.65 Power to serve Notice requiring provision of closets at workplaces					✓	✓	✓	✓	✓			✓	✓	
S.66 Power to serve Notice requiring replacement of earth closets with water-closets.					✓	✓	✓	✓	✓			✓	✓	
S.68 Power of the local authority to serve notice, requiring the removal of a public sanitary erected without consent.								✓				✓	✓	
S.73 Power to serve Notice requiring raising of chimney height						✓	✓	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.76 Power to serve Notice re defective premises and to execute works to remedy the defects and recover the expenses incurred in doing so.						✓	✓	✓				✓	✓	
S.79 Power to serve Notice re: ruinous and dilapidated buildings and neglected sites						✓	✓	✓				✓	✓	
S.81 Power to serve Notice re: demolition works						✓	✓	✓				✓	✓	
S.84 Power to serve Notice requiring drainage of yards and passages					✓	✓	✓	✓	✓			✓	✓	
S.95 Power to enter premises				✓	✓	✓	✓	✓	✓		✓	✓	✓	
S.96 Supplementary provisions to entry – power for authorised officer to take such persons as necessary				✓	✓	✓	✓	✓	✓			✓	✓	
S.97 Power to execute work by agreement with the owner or occupier of premises (at their expense)								✓				✓	✓	
S.107 Power to recover expenses								✓				✓	✓	
<b>CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960 as amended by the Mobile Homes Act 2013 and the Local Government (Miscellaneous Provisions) Act 1982</b>														
S.3 Power to issue site licences (or refuse an application to issue site licence). *Operational Manager								✓*				✓	✓	
S.5 Power to attach conditions to licences *Operational Manager								✓*				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
S.5A Power for the LA to charge an annual fee for a site licence in respect of a relevant protected site.													✓	✓	Fee amount set by Service Director in accordance with Financial Procedure Rules
S.8 Power to alter conditions attached to a site licence													✓	✓	
S.9 Power of LA to carry out works to comply with a condition of a site licence and recover the costs.								✓					✓	✓	
S.9A Power to serve compliance notice in respect of a breach of condition at a relevant protected site. Power also to revoke and vary such a notice.					✓	✓	✓	✓					✓	✓	
S.9C Power to impose a charge on the occupier, in respect to the issue of a compliance notice under S.9A								✓					✓	✓	
S.9D Power for the LA to take action following conviction of occupier and to take any steps required in relation to the compliance notice, but which have not been so taken							✓	✓					✓	✓	
S.9E Power for the LA to take emergency action in respect of a relevant protected site and issue a notice.					✓	✓	✓	✓					✓	✓	
S.9F Power for the LA to recover expenses where action has been taken under Sections 9D or 9E.								✓					✓	✓	
S.10 Power to transfer licences.													✓	✓	
S.10A Powers for the LA to charge fees with respect to Sections 3, 5A, 8 or 10													✓	✓	
S.11 Power to require a site licence to be delivered up								✓					✓	✓	
S.25 Requirement to maintain a public register of site licences								✓					✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.26 Power of authorised officer to enter land in relation to this Act. Includes the power to take with them such persons as may be necessary.				✓	✓	✓	✓	✓				✓	✓	
<b>CATTLE IDENTIFICATION REGULATIONS 2007</b>														
Reg.10 Power for authorised inspector to enter any land or premises for the purposes of ascertaining any breach of the legal requirements as detailed in S. 10(1). Power to carry out checks, take measurements, samples etc. Power to take with them any person they consider necessary.			✓		✓	✓	✓	✓				✓	✓	
Reg. 16 Enforcement for the Regulations conferred to the LA. *Operational Manager								✓*				✓	✓	
<b>CLEAN AIR ACT 1993 (As amended)</b>														
S.4 Power to approve (or refuse) new furnace installations								✓				✓	✓	
S.6 Power to approve (or refuse) arrestment plant for furnaces								✓				✓	✓	
S.7 Power to exempt furnace from the requirements of S.6 of the Act								✓				✓	✓	
S.8 Power to approve plant for arresting grit and dust								✓				✓	✓	
S.10 Power to serve Notice requiring measurement of grit and dust; make adaptations for the purpose of the chimney serving the furnace; to provide and maintain apparatus for making and recording the measurements; and inform the local authority of the results from measurements. Power to revoke a notice issued under S.10.						✓	✓	✓				✓	✓	

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.12 Power to serve Notice requiring details of furnaces in the building and details of the fuel or waste burned.						✓	✓	✓				✓	✓	
S.15 Power to approve, either conditionally or otherwise, or reject, chimney heights								✓ →				✓→	✓→	Report to Ward Member. Subject to subsequent report to Cabinet.
S.18 Power to issue an order declaring the whole or any part of the district of the authority to be a smoke control area (although currently whole of KMC already declared). Power for the local authority to revoke or vary a smoke control order								✓				✓	✓	
S.19A Implements the provisions under Schedule 1A that relate to penalty for emission of smoke in smoke control area in England.														
Sch.1A, 2(2) Power to give a liable person a “notice of intent”								✓			✓	✓	✓	
Sch. 1A, 5(1) power to impose a financial penalty on the liable person								✓				✓	✓	
Sch.1A, 6(2) power to impose a financial penalty by a “final notice”								✓				✓	✓	
Sch.1A, 7(1) power to withdraw a notice of intent or a final notice								✓				✓	✓	
Sch.1A, 10(1) power for the LA to delegate to a person the exercise of any of the authority’s functions under the schedule.												✓	✓	
Sch.1A, 10(2) A delegation must be made by giving notice to the person.												✓	✓	
Sch. 1A, 11(2) power to give a notice to a person												✓	✓	

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Power to issue a written warning 'improvement notice' to the person responsible							✓	✓				✓	✓	
Note regarding financial penalty issued under S.19A, Schedule 1 Power to set policy and amount for financial penalties issued under this section of the Act													✓	Penalty amount based on policy approved by Service Director in conjunction with Portfolio Holder
S.24 Power to serve Notice requiring adaptations of fireplaces to be carried out in private dwellings.												✓	✓	
S.26 Power to approve and pay grants in relation to expenditure incurred on adaptations or in connection with the premises to avoid contraventions of S.20, in respect of charities, churches etc. following the issue of a smoke control order and/or financial penalty for emission of smoke in England.								✓				✓	✓	
S.26A Duty of LA to reimburse for adaptations of vessels Adaptations shall be agreed by and completed to the satisfaction of the LA. The LA shall pay 70% of the expenditure.								✓				✓	✓	
S.35 Power of the LA to obtain information about the emissions of pollutants and other substances into the air including by measuring and recording the emissions or by entering into arrangements with the occupiers of premises under which they measure and record emissions on behalf of the LA				✓	✓	✓	✓	✓	✓			✓	✓	
S.36 Power to issue a notice requiring information regarding emission of pollutants and other substances into the air from premises							✓	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.45 Power to grant exemptions to enable investigations or research relevant to the problem of the pollution of the air to be carried out in smoke control areas.							✓	✓				✓	✓	
S.46 Power to report emissions from Crown premises to responsible Minister							✓	✓				✓	✓	
S.55 Duty for LA to enforce Parts I to III, section 33 and Part VI. Power to institute legal proceedings for an offence under Sections 1 or 2								✓				✓	✓	
S.56 Power of authorised officer to enter any land or vessel and to carry out such inspections, measurements and tests on land or vessel or any articles on it and take away any such samples of the land or articles as appropriate.				✓	✓	✓	✓	✓	✓			✓	✓	
S. 57 Provisions Supplementary to S. 56 – a person authorised to enter upon any land or vessel may take with them such other persons and equipment as may be necessary.				✓	✓	✓	✓	✓	✓			✓	✓	
S.58 Power of LA to serve Notice requiring information in relation to any function conferred on the authority by Part V of the Act.							✓	✓				✓	✓	
<b>CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005</b>														
Various powers under the Act applicable to Environmental Health/Streetscene Housing. In particular, provisions relating to Nuisance Vehicles, Litter, Refuse, Waste, and Alarms											✓			
S.6 Power to serve Fixed penalty notice (FPN) under for offences under S. 3 & 4 regarding sale of multiple vehicles on the highway and regarding repair of motor vehicles on the highway respectively											✓			

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.7 Re: Nuisance parking offences – Power of authorised officer to request name and address of person to whom a FPN is to be issued (under S6)												✓		
S.77 Power to enter premises for the purposes of disabling an alarm. Officer may not enter the premises by force under this section. Power of entry only permitted where the conditions within the section are met.				✓	✓	✓	✓	✓	✓		✓	✓	✓	
S.79 Powers of entry – Supplementary: Power of authorised officer to take steps to disable the alarm; Officer may take with them any such person(s) or equipment necessary to disable the alarm. Power to recover the costs of disabling the alarm from the responsible person.				✓	✓	✓	✓	✓	✓		✓	✓	✓	
<b>CONTAMINANTS IN FOOD (ENGLAND) REGULATIONS 2013</b>														
Reg. 8 allows the provisions under the Food Safety Act 1990 to apply for the purposes of these Regulations. This confers the power under S.9 of the Food Safety Act 1990 for an authorised officer to: <ul style="list-style-type: none"> <li>Inspect food</li> <li>Detain food</li> <li>Seize food in order to have it dealt with by a justice of the peace</li> </ul>					✓ Food only	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
<b>CONTROL OF POLLUTION ACT 1974</b>														
S.16 Power to serve Notice requiring removal of controlled waste											✓			
S.60 Power to serve notice relating to noise from constructions sites and imposing requirements as to the way in which the works are to be carried out.						✓	✓	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.61 Power to grant prior consent for noise levels from construction sites (or refuse consent).							✓	✓				✓	✓	
S.91 Power of authorised officer to enter land or vessels. Power to conduct inspections, take measurements and tests or take any articles and take away samples of the land or articles as considered appropriate.				✓	✓	✓	✓	✓	✓			✓	✓	
S.92 Supplementary to S. 91 Power for person authorised to enter land or vessels to take with them such other persons and such equipment as may be necessary.				✓	✓	✓	✓	✓	✓			✓	✓	
S.93 Power to serve Notice requiring information considered necessary for the function conferred to the authority by this Act.						✓	✓	✓				✓	✓	
<b>CONTROL OF POLLUTION (AMENDMENT) ACT 1989</b>														
S.5 Power to enter and search any vehicle which appears to be transporting controlled waste and to require the production of authority for transporting controlled waste (Only constable in uniform can stop a vehicle on the road).											✓			
S.6 Subject to obtaining a warrant from a JP power to seize a vehicle and its contents (illegal waste disposal). (Only a constable in uniform can stop a vehicle on the road).											✓			

Responsibility		Officer												Procedure Reference		
		A	B	C	D	E	F	G	H	I	J	K	HOS		SD	
<b>CONTROL OF POLLUTION (OIL STORAGE) (ENGLAND) REGS 2001 (COP(OS)REGS)</b>																
(CoP (OS)Regs)	Fuel points in depots								✓	✓			✓			
<b>CRIMINAL PROCEDURE &amp; INVESTIGATIONS ACT 1996</b>																
S.3 Duty for prosecutor to: (a) disclose to the accused any prosecution material which has not previously been disclosed to the accused and which might reasonably be considered capable of undermining the case for the prosecution against the accused or of assisting the case for the accused, or  (b) give to the accused a written statement that there is no material of a description mentioned in paragraph (a).									✓		✓		✓	✓		
S.7A Continuing duty of the Prosecutor to disclose any prosecution material as described in S.3 above, until such time that the defendant is acquitted or convicted or the prosecutor determines not to proceed with the case concerned.									✓		✓		✓	✓		
<b>DANGEROUS WILD ANIMALS ACT 1976</b>																
S.1 Power to grant or refuse licences and to specify conditions of the licence and to vary licence conditions									✓				✓	✓		
S.3 Power of entry to inspect premises where any animal is proposed to be held in pursuance of a licence, for which an application has been made under the Act. Power to appoint any Veterinary Surgeon, Veterinary Practitioner or such other competent person in connection with the inspection of premises. Power to require the payment of reasonable costs of the inspection, to the person who has applied for a licence.			✓	✓				✓	✓	✓		✓	✓	✓	✓	
S.4 Power to seize and retain or dispose of animals that have been kept, either without a licence; or where any condition of a			✓	✓				✓	✓	✓		✓	✓	✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
licence is contravened or not complied with, without the local authority being liable for compensation. Power to recover expenditure from any person who was the keeper of the animal for which there was no licence or the person to whom the licence concerned was granted.														
<b>EGGS AND CHICKS (ENGLAND) REGULATIONS 2009</b>														
Reg. 17 Power for the Food Authority to enforce the regulations in terms of compliance with Reg. 9 (Sch. 2 requirements) and Reg. 16 (Sch. 3 requirements) relating to the sale of eggs; the sale of eggs to a mass caterer and the use of eggs. Also enforce numerous other provisions.			✓	✓	✓	✓	✓	✓				✓	✓	
Reg. 19 Powers of entry for authorised officer and power to take other persons.			✓	✓	✓	✓	✓	✓				✓	✓	
S.20 Powers of authorised officer to conduct inspections of any plant, machinery or equipment on those premises and any of the following items: eggs; eggs for hatching; packs or other containers for eggs etc.; labels relating to eggs, eggs for hatching or chicks; conduct a search of the premises; take samples; carry out any inquiries, examinations or tests; have access to, inspect/copy any documents and remove to enable them to be copied; have access to, inspect and check the data on any computer etc. and may require assistance in doing so etc.; direct a person that items must be left undisturbed, until they can be examined; secure items pending examination/inspection; seize or detain any items as per S.20 (1) (a)(i-iv); documents/records or computer equipment etc. and issue a notice requiring them to be left undisturbed.			✓	✓	✓	✓	✓	✓				✓	✓	
Reg. 21 Duties on LA in relation to seizing equipment etc. Power to destroy seized items following issue of a Notice			✓	✓	✓	✓	✓	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Reg. 22 Power to issue Compliance Notice						✓	✓	✓				✓	✓	
Reg. 30 Power to issue a Penalty Notice (PN) for contravention of Reg. 16 (i.e., non-compliance with Sch. 3 of Regulations)							✓	✓				✓	✓	
Reg. 32 Power for enforcing authority to determine the amount of penalty for the FPN (between permitted amounts)								✓				✓	✓	Means tested PN, more likely to be Defra
Reg.37 Power to withdraw penalty notice								✓				✓	✓	
<b>ENVIRONMENT ACT 1995</b>														
<p>PART IV – AIR QUALITY</p> <p>S. 82 Local Authority Reviews – requirement for every LA to review the air quality (AQ) for the time being and the likely future AQ; to assess whether the AQ standards or objectives are being achieved, or likely to be achieved with in the authority’s area.</p> <p>Where an assessment identifies that any of the AQ standards or objectives are not being achieved, the LA must identify any parts of its area in which the standards or objectives are not being or are not likely to be achieved; identify relevant sources of emissions contributing to the failure to achieve the AQ standards or objectives.</p>							✓	✓				✓	✓	
S 83 Requirement for the LA to issue an order designating an air quality management area, where the AQ review in S.82 identifies that AQ standards or objectives are not, or are not likely to be met.														Cabinet

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
Power to vary the order by a subsequent order; or revoke such an order.															
S.83A Requirement for the LA to prepare and action an air quality action plan for the purpose of securing that AQ standards or objectives are met in an air quality management area.															Confirmation or rejection of air quality action plan is determined by the Secretary of State.
S.85B Requirement for the LA to set out in the Air Quality Action Plan any proposals provided to it by its AQ partners including the dates specified by those partners.							✓	✓				✓	✓		
S.86B requirement for the LA notify the combined authority of its intention to prepare an action plan. Requirement to include in the AQ Action Plan any proposals of the combined authority, including dates specified.							✓	✓				✓	✓		
S.87 Duties may be placed on LAs through the provision of regulations that enable the LA to exercise functions of a Minister of the Crown, to prohibit or restrict the carrying on of prescribed activities, or the access of prescribed vehicles or mobile equipment to prescribed areas; communication with the public of information relating to AQ now and future AQ; requiring information from persons; recovery of costs incurred by the LA in discharging functions. Regulations may include the scope or form of a review or assessment; the scope, content or form of a report; the time at which the review etc. is to be carried out; the					✓	✓	✓	✓				✓	✓		

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
methods to be employed ; the factors to be taken into account and the actions which must be take n by LAs in consequence of reviews etc.														
S.88 Requirement for the LA to have regard to any guidance issued by the Secretary of State in connection with the exercise of the powers conferred, or the discharge of any of the duties imposed under this Section.								✓				✓	✓	
S.108(1) Power to authorise a person to undertake the powers as detailed in S. 108(4) to determine whether any provision pollution control enactments (as defined in the Act) is being or has been complied with; to exercise or perform one or more of the pollution control functions of that authority; of determining how a function should be exercised or performed. etc.								✓				✓	✓	
S.108(1)/108 (4) & S.108 (5) The powers officers authorised under section 108(1) : to enter premises; to takes such persons and equipment/materials as necessary to undertake their duties; make such examinations and investigation as necessary; power to required that premises/part of premises, or anything in them shall be left undisturbed as long as necessary for the purpose of any examination or investigation; power to take measurements, photographs/recordings; power to take samples of articles or substances and have them tested; power to require a person to give information and answer questions; power to request information and records (including in computerised form) and to take copies of any entry in the records. Power to require facilities/assistance				✓	✓	✓	✓	✓			✓	✓	✓	
S.109 Power to seize any article which poses an imminent danger of serious pollution. Power only in relation to premises for which the officer has power to enter (i.e., not Environment Agency enforced premises).							✓	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
S109A Power to issue a restriction notice to prohibit the importation of waste.							✓	✓					✓	✓	
S. 109B Power to cancel or vary restriction notices.							✓	✓					✓	✓	
S.109K Power for the LA to recover costs of securing premises in relation to a restriction notice.								✓					✓	✓	
<b>ENVIRONMENT ACT 2021</b>															
Implements changes to the Clean Air Act 1993															
<b>ENVIRONMENTAL DAMAGE (PREVENTION AND REMEDIATION) (ENGLAND) REGULATIONS 2015</b>															
Reg. 10 (2)(3) identifies local authorities as the enforcing authority in relation to damage that is caused by an activity that requires a permit or registration under the Environmental Permitting (England and Wales) Regulations 2016 where the local authority is responsible for granting the permit and the damage is to land.															
Reg. 11(1) identifies local authorities as the enforcing authority for damage to land, where the damage caused is caused by an activity that does not require a permit or registration under the Environmental Permitting (England and Wales) Regulations 2016.															
Reg. 13(2) power for the enforcing authority to serve a notice on an operator to take steps to prevent environmental damage.							✓	✓					✓	✓	
Reg. 14(2) Power for the enforcing authority to serve a notice on an operator to require additional information on any damage							✓	✓					✓	✓	

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
that has occurred; specify the measures required to prevent further damage; and requires the operator to take those measures or measures at least equivalent to them, within a specified period.														
Reg. 15 Power to carry out any duty in this Part in an emergency; if the operator cannot be ascertained; or if the operator fails to comply with a Notice under reg.13(2) or 14(20)					✓ <sup>4</sup>	✓ <sup>4</sup>	✓ <sup>4</sup>	✓				✓	✓	
Reg. 18 Power to notify the responsible operator of damage to the environment caused by their activity; to require them to submit proposals for measures that will achieve remediation of the environmental damage. Power to withdraw the notification if the notification should not have been served or an appeal against the notice is likely to succeed.							✓	✓				✓	✓	
Reg 22 Power to serve further remediation notices at any time while remediation is being carried out or, if remediation has not been achieved, at the end of the remediation period, requiring further or different remediation.							✓	✓				✓	✓	
Reg. 23 Power for the LA to carry out reasonable works.								✓				✓	✓	
Reg 25 Power for the LA to recover reasonable costs incurred in preparing a notice (under Part 2) or ensuring compliance with that Part.								✓				✓	✓	
Reg. 27 Power for the LA for recoverable costs to be a charge on premises.								✓				✓	✓	
Reg. 31(1) Power for enforcing authority to authorise persons for the purposes of enforcing these regulations.								✓				✓	✓	

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
Reg. 31(2) Powers in S.108 of the Environment Act 1995 apply to these regulations. Reg. 31(4), (5) & (6) Additional powers in relation to ships or marine installations.				✓	✓	✓	✓	✓				✓	✓	✓	
<b>Environmental Protection (Plastic Plates etc. and Polystyrene Containers etc.) (England) Regulations 2023</b>															
Reg. 8 Power to authorise any person to exercise any of the powers specified in regulation 10								✓				✓	✓		
Reg. 9 Implements Schedule 1 for the enforcement of offences under Part 2. Sch. 1 Part 1 1. Power to issue a notice to impose a “fixed monetary penalty” of £200 or a requirement to take such steps to secure that the offence does not continue or recur (a “compliance notice”). 2. Power/requirement for the regulator to serve a “notice of intent” where they propose to serve a fixed monetary penalty or a compliance notice on a person. 3. Power to accept or reject a third party undertaking as to action to be taken (including payment of a sum of money) to benefit any third party affected by the offence. 4. Power/requirement or the regulator to decide whether to impose the requirements of the notice of intent with or without modifications; or to impose any other requirement. Power to serve the “final notice” imposing a requirement.								✓				✓	✓		

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
<p>Sch.1 Part 2</p> <p>9. Power to serve a stop notice on any person, prohibiting them from carrying on an activity specified in the notice, where the activity carried out is causing, or presents a serious risk of causing serious harm to the environment; and there activity is likely to involve the commission of an offence under Part 2 of the Regulations.</p> <p>12. Requirement/power for the regulator to issue a “completion certificate” where the person has taken steps specified in the stop notice.</p>								✓				✓	✓	
<p>Sch 1 Part 3</p> <p>17. Power for the regulator to accept an “enforcement undertaking” (a written undertaking to take such action as may be specified and within such period as may be so specified).</p> <p>18. Power to vary the enforcement undertaking or extend the completion period, by agreement.</p> <p>20. Requirement/power to issue a certificate confirming the enforcement undertaking has been complied with.</p> <p>22. Power to issue a notice to revoke a certificate issued under paragraph 20.</p> <p>23. Where an enforcement undertaking is not complied with, power to serve a “fixed monetary penalty”, compliance notice, non-compliance penalty notice or stop notice OR bring criminal proceedings.</p> <p>24. Power to serve a monetary penalty – a “non-compliance penalty” where a person fails to comply with a compliance notice or third party undertaking.</p>								✓				✓	✓	
								✓				✓	✓	
								✓				✓	✓	
								✓				✓	✓	
								✓				✓	✓	

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
<p>Power to determine the amount of the penalty that is a percentage of the costs of fulfilling the remaining requirement of the compliance notice or third party undertaking.</p> <p>26. Power to withdraw a notice imposing a fixed monetary penalty or a notice imposing a non-compliance penalty, or reduce the amount specified in a noticing imposing a non-compliance penalty; OR withdraw a compliance notice or stop notice, or amend the steps specified, in order to reduce the amount of work necessary to comply with the notice.</p> <p>27 Power to serve an “enforcement cost recovery notice” on a person whom a relevant notice has been served, to pay the costs incurred by the regulator in relation to the imposition of the requirement imposed by the notice, up to the time of its imposition.</p> <p>29. Power to recover a fixed monetary penalty or non-compliance penalty imposed under this schedule, on the order of a court, as if payable under a court order.</p>								✓				✓	✓	
								✓				✓	✓	
								✓				✓	✓	
								✓				✓	✓	
<p>Reg. 10 Power to enter at any reasonable time any premises (other than those used wholly or mainly as a dwelling) it is necessary to enter for an authorised purpose; power to be accompanied by another enforcement officer or bring any equipment or materials required for the authorised purpose in</p>				✓	✓	✓	✓	✓			✓	✓	✓	

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
question; to make such examination and investigation as may be necessary; to take such measurements and photographs and make such recordings as the enforcement officers considers necessary for the purpose of any such examination or investigation; to require the production of any documents or extracts from (included those in computerised form) for the purposes of any such examination or investigation; power to direct that premises or any part of them, or anything in them, be left undisturbed for the purpose of examination or investigation; power to take samples or cause samples to be taken, of any articles or substances found in on or any premises and to cause such articles/substances to be analysed or tested; power to take possession of samples and retain them to examine them; ensure that they are not tampered with before examination; to ensure that it is available for use as evidence in any proceedings;														
Reg. 12 Requirement for each regulator to publish guidance about its use of civil sanctions under these Regulations.														
<b>ENVIRONMENTAL PERMITTING (ENGLAND AND WALES) REGULATIONS 2016 (AS AMENDED)</b>														
Reg. 13 Authority to issue permits							✓	✓				✓	✓	
Reg.18 Power to replace permits with a consolidated permit and/or replace a consolidated environmental permit with two or more environmental permits.							✓	✓				✓	✓	
Reg. 20 Authority to vary permits							✓	✓				✓	✓	
Reg. 21 Authority to transfer permits							✓	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Reg. 22 Authority to Revoke Permits								✓ Part B only				✓	✓	
Reg. 36 Power to issue Enforcement Notice							✓	✓				✓	✓	
Reg. 37 Power to issue Suspension Notice								✓				✓	✓	
Reg. 57 Power to take steps to prevent or remedy pollution and to recover the costs of taking those steps.							✓	✓				✓	✓	
Reg. 58 Power to take steps to remove the risk of an exempt flood risk activity or a flood risk activity under an environmental permit. E.g. to prevent risk of serious flooding; risk of serious harm to the environment etc.  Power to recover costs of taking the steps above, from the operator.								✓				✓	✓	
Reg. 61 Authority to serve Notice requiring a person to furnish the regulator with information necessary for the discharge of their functions							✓	✓			✓	✓	✓	
S.66 Power to charge a prescribed fee for the regulator's functions in relation to these regulations.								✓				✓	✓	NB Fees set in legislation
ENVIRONMENTAL PROTECTION (PLASTIC PLATES ETC. AND POLYSTYRENE CONTAINERS ETC.) (ENGLAND) REGULATIONS 2023														
Reg. 8 – Power for a regulator to authorise any person to exercise the powers specified in regulation 10.												✓	✓	

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
<p>Reg. 9 – Implements to powers under Sch. 1</p> <p>Sch. 1 Part 1:</p> <p>1. Power to serve a notice requiring the payment of a £200 “fixed monetary penalty” or a “compliance notice” requiring the taking of such steps within such a period to secure that the offence does not continue or recur.</p> <p>2. Power to serve a “notice of intent” prior to issuing a fixed monetary penalty or a compliance notice.</p> <p>3. Power to accept or reject a “third party undertaking” offered as to action to be taken by that person to benefit any third party affected by the offence.</p> <p>4. Power to decide whether to impose the requirements in the notice of intent, with or without modifications; or to impose any other requirement that the regulator has power to impose under this Part. Where it is decided to impose a requirement, power to issue a “final notice”. This notice shall comply with parts 5&amp;6.</p> <p>8. Power to take criminal proceedings.</p> <p>* Operational Manager</p> <p>Sch. 1. Part 2</p> <p>9. Power to serve a stop notice on any person prohibiting a person from carrying on an activity specified in the notice until the person has taken the steps specified. Stop notices must include the information as per 10.</p> <p>12. Power to issue (or not issues) a “completion certificate” where the person has taken the steps specified in the stop notice.</p>								✓				✓	✓		
									✓*				✓	✓	
					✓	✓	✓	✓					✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
<p>Reg 9 Sch. 1</p> <p>Part 3</p> <p>17. Power to accept an enforcement undertaking given by a case where the regulator has grounds to suspect that person has committed an offence.</p> <p>20. Power to issue (or not issue) a compliance certificate in relation to an enforcement undertaking.</p> <p>22. Power to revoke a compliance certificate if it was issued on the basis of inaccurate, misleading or incomplete information.</p> <p>23. If an enforcement undertaking is not complied with, power to serve a fixed monetary penalty notice, compliance notice, non-compliance penalty notice or stop notice; or bring criminal proceedings.</p>								✓				✓	✓	
<p>Part 4</p> <p>24.(1) Power to serve a notice issuing a “non-compliance penalty” (monetary penalty), for failure to comply with a compliance notice or third party undertaking (irrespective of whether a fixed monetary penalty was also imposed in respect of that offence).</p> <p>24(2) Power to determine the amount of the penalty and based on a percentage of the costs of fulfilling the remaining requirements of the compliance notice or third-party undertaking.</p>								✓				✓	✓	
<p>Part 5</p>														

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
26. Power to withdraw: a notice imposing a fixed monetary penalty or a notice imposing non-compliance penalty or reduce the amount specified in a notice imposing a non-compliance penalty; or a compliance notice or stop notice or amend the steps specified in order to reduce the amount of work necessary to comply with the notice.								✓				✓	✓	
27. Power to serve an “enforcement cost recovery notice” requiring the payment of costs incurred by the regulator in relation to the imposition of a “relevant notice” (fixed monetary penalty notice, compliance notice or stop notice).								✓				✓	✓	
29. Power to recover payments in relation to any fixed monetary penalty or non-compliance penalty on the order of a court.								✓				✓	✓	
Reg. 10 – Power to: enter premises (at any reasonable time); be accompanied by another enforcement officer; bring any equipment or materials required; make examination and investigation as necessary; take such measurements and photographs and recordings; require the production of information (including in computerised form) for examination or investigation; direct that premises or any part of them be left undisturbed for so long as necessary for the purpose of examination or investigation; take samples of any articles or substances found in or on any premises which have the power to enter and to have them tested or analysed; take possession of any such sample and retained it for the purposes of examination/testing; ensure it is not tampered with; and/or to ensure it is available for use as evidence in proceedings.				✓	✓	✓	✓	✓			✓	✓	✓	

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Reg. 11 Requirement for a regulator to publish cases in which civil sanction(s) have been imposed; the cases where a fixed monetary penalty or compliance notice has been accepted and the cases in which an enforcement undertaking has been entered into.														
<b>ENVIRONMENTAL PROTECTION ACT 1990</b>														
<b>Part II</b>													✓	
S.30 Identification of the council as the Waste Regulation Authority and power to enforce the provisions														
S.34(5) Power to serve notice requiring the production of documents in relation to duty of care in regard to waste				✓	✓	✓	✓	✓	✓		✓	✓	✓	
S.34A Power to issue fixed penalty notices in relation to offences under S.34				✓	✓	✓	✓	✓	✓		✓	✓	✓	
S34B Power to search and seize vehicles.											✓			
S.34C Power to seize vehicles and remove to a place considered appropriate.											✓			
S.46 Power to issue a notice requiring household waste to be placed in receptacles as specified											✓			
S.46A Power for authorised officer to give a written warning for failure to comply with requirements relating to household waste receptacles.											✓			
46A (4) Power for an authorised officer to require a person to whom a written warning was issued to pay a fixed penalty notice											✓			
S.47 Power to issue a notice requiring receptacles for commercial or industrial waste to be provided											✓			

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.47ZA Power to serve Fixed Penalty Notice (FPN) for offences under S. 46 and S. 47												✓		
<b>Part IIA</b>														
S.78B Requirement to issue a notice (to relevant parties) that Local Authority has identified contaminated land									✓				✓	✓
S.78C Notice of designation of special site to be issued to relevant parties.									✓				✓	✓
S.78E Power to serve remediation notices in regard to contaminated land									✓				✓	✓
S.78L Power to modify a remediation notice									✓				✓	✓
S.78N Power for enforcing authority to carry out remediation.									✓				✓	✓
S.78P Power for recovery of and security for the costs of remediation by the enforcing authority. Service of a charging notice.									✓				✓	✓
S.78R Requirement for every enforcing authority to maintain a register relating to remediation notices; appeals against remediation notices etc. To make the register available at all reasonable times, for inspection by the public free of charge; and to afford members of the public facilities for obtain copies of entries, on payment of reasonable charges.								✓	✓				✓	✓
S.78T Notice of confidentiality in relation to information kept on the register required under S.78R of the Act									✓				✓	✓
S.78X Provisions in relation to two or more different sites (when considered together that pose significant harm or pollution of controlled waters etc.) for the local authority to exercise its									✓				✓	✓

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
functions under this Part to treat land adjoining or adjacent to its area as if it were land situated within its area.														
<b>PART III</b> S.80 Power to issue a notice requiring the abatement of a nuisance				✓ <sup>2</sup>	✓ <sup>2</sup>	✓	✓	✓			✓	✓	✓	
S.80A Power to issue an abatement notice in relation to noise in the street relating to a vehicle or machinery.				✓ <sup>2</sup>	✓ <sup>2</sup>	✓ <sup>2</sup>	✓	✓			✓	✓	✓	
S.81 (2) Power to serve Notice under S.80 where cause of nuisance arises outside the local authority's area.					✓ <sup>3</sup>	✓ <sup>3</sup>	✓ <sup>3</sup>	✓			✓	✓	✓	
S.81 (3) Power to abate the nuisance and do whatever may be necessary in execution of the notice, where an abatement notice has not been complied with.					✓ <sup>4</sup>	✓ <sup>4</sup>	✓ <sup>4</sup>	✓			✓	✓	✓	
S.81(4) Power to recover costs incurred in doing works in default to abate or prevent the recurrence of a statutory nuisance.								✓				✓	✓	
S.81(5) Power to take proceedings to the High Court for the purpose of securing the abatement etc.  * Operational Manager only								✓*				✓	✓	
S.81(7) implements Sch. 3  Sch. 3(2) Powers of entry to premises and to take such persons as necessary, carry out such inspections, measurements and tests as considered and take away such samples or articles as considered necessary in relation to the local authority's functions under Part III.				✓	✓	✓	✓	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Sch.2A Power to enter or open a vehicle, machinery or equipment, if necessary, by force or remove a vehicle, machinery or equipment from the street to a secure place for the purposes of taking any action or executing any work, authorised by or required under Part III in relation to a statutory nuisance caused by noise emitted from or caused by the vehicle, machinery or equipment.  Power to recover expenses reasonably incurred by a local authority in abating or preventing the recurrence of a statutory nuisance as per S.81(4)				✓	✓	✓	✓	✓				✓	✓	
S.81A Power to serve notice for the recovery of expenses and interest as permitted under S. 81(4). Power under the Law of Property Act 1925 to enforce a charge under this section.								✓				✓	✓	
S.81B Power for the local authority to declare that payment of expenses (with interest) be made by instalments within a specified period, until the whole amount is paid.							✓ <sup>4</sup>	✓				✓	✓	
<b>PART IV</b>  S.88 Power to issue a Fixed Penalty Notice for the offence under S87 for leaving litter.												✓		
<b>EQUINE IDENTIFICATION (ENGLAND) REGULATIONS 2018</b>														
S.33 Identification of the local authority as the enforcing authority for these Regulations														

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Reg. 34 Power for the Enforcing Authority to appoint inspectors								✓				✓	✓	
<p>Reg.35 Inspectors: powers of entry and general powers</p> <p>Includes power to enter any land, premises or property for the purpose of administering and enforcing these Regulations. An inspector may require the production of ID; carry out enquiries; to have access to and inspect and copy any documents and remove them to enable them to be copied.; to inspect and check the operation of any computer and any associated apparatus or material that is or may have been used in connection with documents or records; mark any equine for identification purposes.</p> <p>Power to seize documents.</p> <p>Power for inspector to be accompanied by other such person the inspector considers necessary.</p>			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Reg.39 Power for the enforcing authority to serve a Compliance notice			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Reg. 40 Power for the enforcing authority to serve a non-compliance penalty notice			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Reg. 41 power for the enforcing authority to serve a fixed monetary penalty notice			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Reg. 42 power to serve an enforcement costs recovery notice in relation to the 'costs' reasonably and necessarily incurred from investigation costs; administration costs; and costs of obtaining expert and/or legal advice.			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Reg. 44 Power to withdraw a notice issued under this Part and reissuing of a notice.			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
<b>FOOD AND ENVIRONMENT PROTECTION ACT 1985 (FEPA).</b>														
Part 1, S.4 Powers of officers (as directed) to enforce an Emergency Order as issued by the Secretary of State or Food Standards Agency. Powers include entry onto land, vehicle, vessel, aircraft, hovercraft or marine structure if has reasonable grounds to suspect food is or may become unsuitable for human consumption etc.  Power to seize things for performance of his function under this part.  Power to enter premises etc. where it is suspected any document, book or other record that may assist him in ascertaining the whereabouts of any such food or thing.					✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Part III S.16 (2) (g) Power for LA (if directed to do so by the Ministers through Regulations being made to impose prohibitions etc. on pesticides) to seize and dispose of any pesticides/require that some other person dispose of it; seize or dispose of anything treated by it; to direct some other person to take such remedial action as appears necessary as a result of the contravention.					✓	✓	✓	✓				✓	✓	
Part III S.19 Confers the enforcement powers in Sch. 2 to a person whom either of the Ministers has by instrument in writing authorised to exercise them; or by an officer of a local authority who is authorised to exercise them. Powers of authorised person includes: power to enter any land, vehicle, vessel, aircraft, hovercraft or marine structure; power to require any person to					✓	✓	✓	✓				✓	✓	

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
<p>give him information as to the formulation, effects or use of any substances; power to issue a notice directing that activities to which the notice relates shall not be carried on by or under the control of the person whom the notice is served.</p> <p>Sch. 2 Power of an officer to:</p> <p>Take with him any other person, equipment or materials, to assist in performing his functions.</p> <p>Require a person whom he has reasonable cause to believe is able to give information which will assist him, to answer such questions and to sign a declaration of the truth of his answers.</p> <p>In relation to vessels, aircraft etc. to require any person to give details of any substances or articles on board a vessel etc. and to give information concerning any substances or articles lost from a vessel etc.</p> <p>Power to require any vessel etc. to stop and require the attendance and assistance of the master, captain, commander of a vessel etc., or the person in charge of a marine structure and any other person who is on board a vessel, aircraft etc.</p> <p>Power to require a vessel etc. to be taken to the nearest port or may take it their himself. Power to detain a vessel etc.</p> <p>Powers in relation to containers: to open any container; carry out searches, inspections, measurements and tests; take samples; require the production of documents, books and records; photograph or copy anything produced in accordance with the above.</p> <p>Power of entry into dwellings, under warrant, issued by a justice of the peace.</p> <p>Power to use reasonable force in performance of his functions.</p>														

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
<b>FOOD SAFETY &amp; HYGIENE (ENGLAND) REGULATIONS 2013</b>														
Reg. 5 Power (as delegated by the Food Standards Agency) to execute and enforce the Hygiene Regulations authorise, in writing, any person (whether or not an officer of the Authority) either generally or specifically, to act in matters arising under the legislation, including the approval of establishments and/or the withdrawal or suspension of approval. Also the enforcement of issues relating to imported food, (subject to no person being authorised unless he/she has such qualifications as may be prescribed by the legislation)													✓	✓
Regulation 6 – Power for Authorised Officer to serve Hygiene Improvement Notices					✓ Food only	✓1	✓1	✓1					✓1	✓
Regulation 8 – Power to serve Hygiene Emergency Prohibition Notices and make application to the court for a Hygiene Emergency Prohibition Order. Power to issue a certificate confirming that the health risk condition is no longer fulfilled.					✓1 Food only	✓1	✓1	✓1					✓1	✓
Regulation 9 – Power to serve remedial action notices and detention notices upon premises which require approval under Regulation 853/2004					✓1 Food only	✓1	✓1	✓1					✓1	✓
Regulation 10 Power to serve a Detention Notice at premises to which Regulation 853/2004 applies					✓1 Food only	✓1	✓1	✓1					✓1	✓
Regulation 14 – Power to procure samples of any food or any substance being used in the preparation of food; from any food source or a sample of any contact material; and take a sample of				✓1	✓1	✓1	✓1	✓1					✓1	✓

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
any article or substance that may be required in proceedings under the Regulations.														
Regulation 15 – Power to submit samples for analysis				✓1	✓1	✓1	✓1	✓1				✓1	✓	
Regulation 16 – Powers of entry to premises at all reasonable hours except admission to premises used only as a private dwelling house shall not be demanded as of right unless 24 hours’ notice has been given to the occupier.				✓1	✓1	✓1	✓1	✓1				✓1	✓	
Regulation 25– Inspection and seizure of food under S.9 of the Food Safety Act 1990					✓1	✓1	✓1	✓1				✓1	✓	
Regulation 29 – Power to inspect food and to certify that food has not been produced, processed or distributed in compliance with the Hygiene Regulations					✓1	✓1	✓1	✓1				✓1	✓	
<b>FOOD SAFETY ACT 1990 (as amended) and any Orders or Regulations made thereunder or having effect by virtue of the European Communities Act 1972 and retained by the European Union (Withdrawal) Act 2018 and any modification or re-enactment to the foregoing</b>														
Part I Section 5 Power to authorise, in writing, any person (whether or not an officer of the Authority) either generally or specifically, to act in matters arising under this Act but if regulations made by the Secretary of State, so provide no person shall be so authorised unless he/she has such qualifications as may be prescribed by the regulations.  Section 6 – power for the food authority to enforce and execute within their area the provision of this Act (and regulations or orders made under the Act) with respect to which the duty is not imposed expressly some other authority.												✓	✓	Food Law Code of Practice (England)

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Part II														
Section 9 – Power for the inspection and detention and/or seizure of suspected food					✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Section 10 – Power to issue Improvement Notices					✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Section 12 – Power to serve an Emergency Prohibition Notice					✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Section 23 – Power for local authorities to provide, within or outside their area, training courses in food hygiene.														
Section 27 – Requirement to appoint a Public Analyst								✓				✓	✓	
Section 29 - Power for an authorised officer purchase a sample of any food, or any substance capable of being used in the preparation of food; take a sample of any food, or any such substance, which appears to be intended for sale, or to have been sold, for human consumption; or is found by him on or in any premises which he is authorised to enter by or under section 32. Also, to take a sample from any food source, or a sample of any contact material, which is found by him on or in any such premises; take a sample of any article or substance which is found by him on or in any such premises and which he has				✓ <sup>1</sup>				✓ <sup>1</sup>	✓					
				✓ <sup>1</sup>				✓ <sup>1</sup>	✓					

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
reason to believe may be required as evidence in proceedings under any of the provisions of this Act or of regulations or orders made under it.														
Section 30 Power of authorised officer or other person to submit a sample, procured under S. 29, to be analysed by the public analyst or food examiner.														
Section 32 – Powers of entry to ascertain whether there is or has been a contravention of the Act or of regulations or orders made under it. Power to take such persons as necessary with him. Power to inspect records, where stored in electronic form, have access to, inspect and check any computer etc. and may require any person to provide such assistance to retrieve such records.  Power to seize and detain records and/or if electronic, require records to be produced in a form in which they may be taken away.				✓	✓	✓	✓	✓			✓	✓	✓	
<b>HEALTH ACT 2006</b>														
Part I, Chapter 1  S.9 Power for Authorised Officer to issue Penalty Notice. Power for the LA to withdraw a penalty notice					✓	✓	✓	✓			✓	✓	✓	
S.10 Duty of enforcement authority (as designated under the Smoke-free (Premises & Enforcement) Regs. 2006) to enforce, as respects the premises, places and vehicles in relation to which it has enforcement functions under the provisions of Chapter 1 of the Act and regulations made under it. Details of Authorised Officer and powers of entry.					✓	✓	✓	✓			✓	✓	✓	

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
S.10 (7) Sch. 2 provisions for power of Entry; Power to carry out inspections and examinations as considered necessary; require the production of any substance or product and inspect it and take and retain samples of or extracts from it. Power to take possession of any substance or product on the premises and retain it for as long as considered necessary for that purpose. Power to require any person to provide information or afford him such facilities and assistance as necessary for that purpose; Power to have substances analysed. Power to make such purchases and secure the provision of services as necessary for the exercise of functions under Chapter 1, Part I of the Act. Power to take such persons and equipment as considered necessary.					✓	✓	✓	✓				✓	✓	✓	
<b>HEALTH PROTECTION (LOCAL AUTHORITY POWERS) REGULATIONS 2010</b>															
Regulation 2- Power to keep a child away from school by issue of a Notice. Power to vary or revoke the notice. Power to serve consecutive notices.								✓				✓	✓		
Regulation 3 Power to serve notice to require head teacher to provide information on pupils of that school								✓				✓	✓		
Reg. 4 Power to disinfect or decontaminate on request of the owner and power to recover the costs of the disinfection or decontamination where the person is made aware of the charge and agrees to pay it.								✓				✓	✓		
Reg. 5 Power to disinfect or decontaminate a thing, on request by person with custody or control, of the item. Power to recover the costs where the person is made aware of the charge and agrees to pay it.								✓				✓	✓		

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Reg. 6 Power to disinfect or decontaminate premises on request of owner and to recover the costs of disinfection where the person is made aware of the charge and agrees to pay it.								✓				✓	✓	
Reg. 7 Power to disinfect or decontaminate premises on request by tenant and to charge the tenant the costs of disinfection or decontamination, where the tenant is made aware of the charge prior and agrees to pay it.								✓				✓	✓	
Reg. 8 Power to serve notice requiring co-operation with respect to doing or refrain from doing, anything for the purpose of preventing , protecting against, controlling or providing a public health response to the incidence of spread of infection or contamination.							✓	✓				✓	✓	
Reg. 9 Power to serve notice restricting contact with dead bodies.							✓	✓				✓	✓	
Reg. 10 Power to serve a notice prohibiting any person from entering the room in which a dead body is located							✓	✓				✓	✓	
Reg. 11 Power for the LA to relocate a dead body to reduce or remove the risk of the dead body infecting or contaminating people.							✓	✓				✓	✓	
<b>HEALTH PROTECTION (PART 2A ORDERS) REGULATIONS 2010</b>														
Reg. 3 Duty for LA to give notice of intention to apply for a Part 2A Order (except where the person is likely to abscond or otherwise take steps to undermine the order applied for or where notifying such a person would not be in their best interests).								✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
Reg. 7 Power for LA to charge to recover the costs incurred pursuant to a Part 2A Order (under S. 45H [health measures relating to things] or 45L [health measures relating to premises]). Does not extend to orders under S. 45H that relate to a dead body or human remains.  Various other duties under the regulations rather than powers.									✓				✓	✓	
<b>HEALTH AND SAFETY (ENFORCING AUTHORITY) REGULATIONS 1998</b>															
Transfer of premises Reg. 3 LA to be enforcing authority for non-domestic premises as detailed in Schedule 1									✓				✓	✓	
Reg. 5 Power to enable the transfer of responsibility for enforcement to or from the LA from the Health & Safety Executive (HSE)									✓				✓	✓	
Reg. 6 Power to enable responsibility for enforcement to be assigned in cases of uncertainty through agreement between the LA and HSE									✓				✓	✓	
Regulation 6B Power to enable responsibility for enforcing the relevant statutory provision to be assigned by the Office of Nuclear Regulation (ONR) and the LA to the ONR or the LA.									✓				✓	✓	
<b>HEALTH AND SAFETY AT WORK ETC ACT 1974 and the relevant statutory provisions S.20(2)(i)</b>															
S.18 (4) Duty of LA to make provision for enforcement of the relevant statutory instruments (as determined by regulations made by the Sec of State) and to perform the duty imposed by the relevant statutory provisions in accordance with such guidance as the Executive may give them.									✓				✓	✓	

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
S.19 Power to appoint inspectors (such persons having suitable qualifications as necessary) for the purposes of the Act and relevant statutory provisions. The instrument of appointment shall be in writing and must specify the powers conferred to them by the relevant statutory instruments and the exercise of the powers only within the field of responsibility of the authority.									✓				✓	✓	
<p>S.20 Power to:</p> <ul style="list-style-type: none"> <li>• Enter premises as a right unlike other legislation.</li> <li>• Power to take a constable if have reason to believe there will be serious obstruction.</li> <li>• Power to take another person, authorised by the enforcing authority with them and any equipment or materials required.</li> <li>• To make such examination or an investigation as necessary.</li> <li>• Power to direct that premises or part of them or anything therein be left undisturbed for the purpose of examination etc.</li> <li>• Power to take photographs; measurements; recordings etc. as necessary.</li> <li>• Power to take samples of any article or substance.</li> <li>• Power to cause an article to be dismantled or subjected to any process or test.</li> <li>• Power to take possession of articles and detain them until such time they can be examined.</li> <li>• Power to require persons to give information and to sign a declaration of the truth of his answers.</li> <li>• Require the production of information and to take copies of documents etc. Also require them to be kept.</li> <li>• Require assistance and facilities to enable the officer to exercise their powers.</li> <li>• Any other power that is necessary for the purpose of carrying into effect any of the statutory provisions within the field of responsibility.</li> </ul>					✓1 NO/SA	✓1 NO/S A	✓1 NO/S A	✓1 NO/S A					✓1 NO/SA	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.21 Power to serve Improvement Notices					✓1 NO/SA	✓1 NO/S A	✓1 NO/S A	✓1 NO/S A				✓1 NO/SA	✓	
S.22 Power to serve prohibition notices					✓1 NO/SA	✓1 NO/S A	✓1 NO/S A	✓1 NO/S A				✓1 NO/SA	✓	
S.23 Power to withdraw an improvement notice or prohibition notice which is not to take immediate effect, has been served and to extend the period or further extend the period.					✓1 NO/SA	✓1 NO/S A	✓1 NO/S A	✓1 NO/S A				✓1 NO/SA	✓	
S.25 Power to seize and render safe any article which poses imminent danger					✓1 NO/SA	✓1 NO/S A	✓1 NO/S A	✓1 NO/S A				✓1 NO/SA	✓	
S.26 Power of enforcing authorities to indemnify their officers.								✓				✓	✓	
S.39 Power for Officer to prosecute if authorised on behalf of the enforcing authority. *Operational Manager only								✓*				✓	✓	
<b>LICENSING ACT 2003</b>														
S.51 Power to request a review of a licence held by licensed premises								✓				✓	✓	
S.57(5) Power to require the production of a licence				✓	✓	✓	✓	✓			✓	✓	✓	
S.59 Power of entry to inspect premises to determine an application for a licence				✓	✓	✓	✓	✓	✓		✓	✓	✓	
S.87 Power to request a review of a club premises certificate to the relevant licensing authority.								✓	✓			✓	✓	
S.94(7) Power to require the production of a Club Premises Certificate				✓	✓	✓	✓	✓			✓	✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.96 Power of entry for the inspection of clubs before grant of licence (48 hr notice)				✓	✓	✓	✓	✓	✓		✓	✓	✓	
S. 104 Power for a “relevant person” to give an “objection notice” in relation to a temporary event notice, where allowing the premises to be used in accordance with the notice, would undermine a licensing objective.								✓				✓	✓	
S.108 Power of entry to inspect premises to which a Temporary Event Notice relates				✓	✓	✓	✓	✓	✓		✓	✓	✓	
S.109(5) Power to require the production of a Temporary Event Notice				✓	✓	✓	✓	✓	✓		✓	✓	✓	
S.135(2) Power for authorised officer to require the holder of a personal licence to produce the licence for examination.				✓	✓	✓	✓	✓	✓		✓	✓	✓	
S.179 General power of entry for determining if licensable activities are taking place				✓	✓	✓	✓	✓	✓		✓	✓	✓	
<b>LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976</b>														
Part I				✓ <sup>2</sup>	✓ <sup>2</sup>	✓	✓	✓	✓ <sup>2</sup>	✓	✓	✓	✓	
S.16 Power to issue a Notice requiring particulars of persons with an interest in the land						✓	✓	✓				✓	✓	
S.20(1) Power to serve Notice on an owner or occupier that require him: to provide sanitary accommodation at places of entertainment; to maintain or keep clean sanitary appliances; the provide and maintain a proper supply of things for use in connection with the appliances (e.g. cold or hot water or both); to make such appliances for use by members of the public.						✓	✓	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.20 (5) Power of Authorised person to enter premises to determine whether a notice should be issued in relation to the provision of sanitary appliances.					✓	✓	✓	✓			✓	✓	✓	
Deviation from approved policy under certain circumstances permitted.								✓				✓	✓	
S.33 Power for the local authority to require the restoration or continuation of supply of water, gas or electricity. Power to recover costs incurred							✓ <sup>4</sup>	✓				✓	✓	
S.35 Power to serve Notice requiring removal of obstruction from private sewer. Power for the LA to remove obstruction where the notice is not complied with. Power to serve a notice requiring the payment of reasonably incurred expenses to the LA.					✓ <sup>4</sup>	✓ <sup>4</sup>	✓ <sup>4</sup>	✓	✓ <sup>4</sup>			✓	✓	
<b>LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 (As amended by Local Government Act 2003)</b>														
Part VIII														
S.14 (3) Duty of LA to register any person who applies for registration in respect of the practice of acupuncture. NOTE: it is an offence for any person to carry on acupuncture without such registration, but the LA <u>must</u> register any applicant, who then has to comply with local byelaws								✓				✓	✓	
S.14(6) Power to charge reasonable fees for registration for acupuncture.													✓	Fee amount set by Service Director in accordance with Financial Procedure Rules
S.14 (7) Power to make byelaws in relation to cleanliness of premises, persons and sterilisation of equipment etc.														Cabinet

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility		Officer												Procedure Reference	
		A	B	C	D	E	F	G	H	I	J	K	HOS		SD
S.15(3) Duty for LA to register tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis and issue a certificate or registration									✓				✓	✓	
S.15(6) Power to charge reasonable fees for registration for tattooing, semi-permanent skin-colouring, cosmetic piercing and electrolysis.														✓	Fee amount set by Service Director in accordance with Financial Procedure Rules
S15 (7) Power to make byelaws in relation to cleanliness of premises, persons and sterilisation of equipment etc.															Cabinet
S.17 Power of entry in relation to suspicion of contraventions of S.16 that relates to contraventions of the requirements of sections 14 and 15. If access refused must have a warrant from a JP.						✓	✓	✓	✓			✓	✓	✓	
Section 23 LG(MP)A	With Licensing to issue Street Trading Consent & enforcement								✓	✓			✓	✓	
Section 23 & 24	The right to enter private land to carry out tree work for the protection of the public								✓	✓			✓	✓	
S.27 Power to give a notice requiring the repair of drains etc. and to remedy stopped-up drains etc. Power for the LA to repair the drain etc. and recover expenses reasonably incurred in doing so.						✓	✓	✓	✓				✓	✓	
S.29(2) & S.29(6) Power to serve notice requiring execution of works and power to undertake works to prevent unauthorised entry to buildings.							✓	✓	✓			✓	✓	✓	
S. 29(10) Power of entry of authorised officer into buildings/land to exercise the powers under this section.					✓	✓	✓	✓	✓			✓	✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S. 29(8) Power for the LA to undertake works to prevent access to buildings, without serving notice where it is necessary to undertake the works immediately or where it is not reasonably practicable to ascertain the name and address of an owner etc.								✓				✓	✓	
S.29 (11) Power to recover costs incurred.								✓				✓	✓	
<b>NATURAL MINERAL WATER, SPRING WATER AND BOTTLED DRINKING WATER (ENGLAND) REGULATIONS 2007 (as amended)</b>														
Reg. 16 Requirement for the relevant authority to carry out periodic checks on any water recognised as a natural mineral water to ensure it meets all necessary requirements.  Requirement of the food authority to enforce and execute these regulations.				✓1	✓1	✓1	✓1	✓1				✓1	✓1	
Reg. 16A Requirement to undertake regular monitoring of water bottled and labelled as “spring water” and bottled water				✓1	✓1	✓1	✓1	✓1				✓1	✓1	
Reg. 17 Requirements in relation to samples taken by authorised officer				✓1	✓1	✓1	✓1	✓1				✓1	✓1	
<b>NOISE ACT 1996 as amended by the Anti-Social Behaviour Act 2003</b>														
S.1 Power for LA to issue an Order adopting the measures contained within the Act														Cabinet

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.2 Power for authorised officer to issue a “warning” notice where a noise is deemed to be offending during night-time hours or is exceeding a permitted level					✓	✓	✓	✓			✓	✓	✓	
S.8 Power to issue a Fixed Penalty Notice in relation to an offence committed under section 4 and 4A					✓ <sup>4</sup>	✓ <sup>4</sup>	✓ <sup>4</sup>	✓			✓	✓	✓	
S.8A Power for the local authority to specify the amount for the fixed penalty notice or if no amount is specified it is as prescribed in S.8 And accept a lesser amount that is paid.								✓				✓	✓	
S. 8B Power to require name and address in relation to issue of FPN				✓ <sup>3</sup>	✓	✓	✓	✓			✓	✓	✓	
S.10 Power of authorised officer to enter premises (including a dwelling) and seize and remove equipment believed to have been emitting the noise with reference to the Sch. to S.10. Power to take such other persons and such equipment as may be necessary Implements: Schedule Powers in Relation to Seized Equipment:  Sch. 2 – Power to retain any seized equipment. 4(6) – Power to dispose of the seized equipment. 3, 4 & 6 General requirements upon the LA in relation to seizure, forfeiture and return of seized equipment.				✓ <sup>3</sup>	✓	✓	✓	✓			✓	✓	✓	
							✓	✓			✓	✓	✓	
							✓	✓			✓	✓	✓	
<b>NOISE AND STATUTORY NUISANCE ACT 1993</b>														
S.8 Power for LA to issue a notice to adopt Sch2 paragraph 1 Power to grant consent to operate a loudspeaker in the street  <a href="#">Sch. 2:</a>  1. Power to consent to the operation of a loudspeaker in the street.								✓				✓	✓	
								✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
<p>5. Power to determine a fee for the consideration of such an application.</p> <p>6. Power to cause a notice giving details of that consent to be published in a local newspaper.</p>									✓				✓	✓*	Fee amount set by Service Director in accordance with Financial Procedure Rules
<b>OFFICIAL FEED &amp; FOOD CONTROLS (ENGLAND) REGULATIONS 2009 (AS AMENDED)</b>															
<p>Reg.18 Power of entry, by an authorised officer to enter premises for the purpose of ascertaining whether there has been any breach of these regulations, both within and outside the authority's area.</p> <p>Power for the authorised officer to take such other persons as necessary.</p> <p>Power to inspect records, including electronic records and to require the assistance in accessing electronic records.</p> <p>Power to seize and detain any records required as evidence, including electronic records and require electronic records to be produced in a form in which they may be taken away.</p>				✓ <sup>1</sup> Food only	✓ <sup>1</sup> Food only	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓		
Reg. 24 Power for the food authority to execute and enforce the Import Provisions in its area in relation to food.															
Reg. 27 Responsibility for the enforcement of the Import Provisions, relating to products from a third country, to the LA where customs examination has been completed or has been deferred until it reaches the place located within the LA area.				✓ <sup>1</sup> Food only	✓ <sup>1</sup> Food only	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓		

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Reg.29 Power to require that an identity or physical check on a product takes place as a specified place and for the authorised officer to undertake those checks. Power to require such facilities and assistance as is required to undertake the checks.				✓ <sup>1</sup> Food only	✓ <sup>1</sup> Food only	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Reg. 31 Power to detain, destroy, require special treatment, re-dispatch and other appropriate measures (the costs of which are to at the expense of the operator responsible), in relation to animals and goods other than those subject to official controls at border control posts.					✓ <sup>1</sup> Food only	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Reg. 32 Power to serve notices requiring: the detention of food; the destruction of food; the re-dispatch of consignments; special treatment or any other measure necessary withdrawal of food					✓ <sup>1</sup> Food only	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Reg. 36 Power for the competent authority to recoup costs incurred by written demand to the food business operator								✓				✓	✓	
Reg. 37 Power to procure samples of any food; contact material, article or substance found in premises in relation to the Import Provisions				✓ <sup>1</sup> Food only	✓ <sup>1</sup> Food only	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Reg. 38 Power to submit samples to the Public Analyst or Food Examiner for analysis				✓	✓	✓	✓	✓				✓	✓	Note: Doesn't need to be an authorised officer
Reg. 39 Powers of entry of authorised officers of a food authority.  Power to inspect records; including electronic records and require assistance to access electronic records.  Power to seize and detain records and require that electronic records be produced in a form that can be taken away.				✓ <sup>1</sup> Food only	✓ <sup>1</sup> Food only	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
<b>POLICE &amp; CRIMINAL EVIDENCE ACT 1984</b>														

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.60 Tape recording of interviews in accordance with the CoP (S.60(1), came into force through the Police & Criminal Evidence (Commencement No. 4) 1991			✓	✓	✓	✓	✓	✓				✓	✓	
<b>PREVENTION OF DAMAGE BY PESTS ACT 1949</b>														
S.4 power to issue a notice requiring owner or occupier to take action in relation to rats and mice						✓	✓	✓	✓		✓	✓	✓	
S.5 Power of LA to take action to gain compliance with a notice under S. 4 and to recover the costs of doing so							✓	✓	✓		✓	✓	✓	
S.6 Power for LA to undertake treatment/action in relation to rats and mice where it involves several premises occupied by different persons, without the need to serve individual notices under S4. Power to recover any expenses reasonably incurred in undertaking such treatment/action.							✓	✓	✓		✓	✓	✓	
S.7 Power of LA to recover expenses incurred undertaking action under Ss. 5&6								✓				✓	✓	
S.9 Power of LA to request information in relation to the interests in land						✓	✓	✓	✓		✓	✓	✓	
S.22 Power of authorised officer to enter land for the purposes of enforcing this Act				✓ <sup>5</sup>	✓	✓	✓	✓	✓		✓	✓	✓	
S.26 Power to institute legal proceedings *Operational Manager only								✓*				✓	✓	
<b>PRIVATE WATER SUPPLIES (ENGLAND) REGULATIONS 2016 (AS AMENDED)</b>														

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Regulation 3 Requirement for the local authority to monitor all private water supplies and risk assess them. Keep records etc.														
Regulation 6 – Requirement for a local authority to carry out a risk assessment for every private water supply in its area and review and update that risk assessment every 5 years.				✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>					✓ <sup>1</sup>	✓ <sup>1</sup>	
Regulation 7 Requirement for the local authority to monitor all private water supplies.				✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>					✓ <sup>1</sup>	✓ <sup>1</sup>	
Regulation 8 Requirement for the local authority to carry out monitoring of water supplies further distributed by a person who is not a water undertaker or water supply licensee.				✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>					✓ <sup>1</sup>	✓ <sup>1</sup>	
Regulation 9 Requirement for the local authority to monitor a private water supply that is a large supply, or supplies water as part of a commercial or public activity.				✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>					✓ <sup>1</sup>	✓ <sup>1</sup>	
Regulation 10 Requirement for the local authority to monitor a private water supply not covered by regulation 8 or 9 (against certain parameters) and to monitor at least every 5 years and or more frequently if the risk assessment indicates this necessary. LA may monitor a private water supply to a single dwelling and must do so if requested to do so by the owner or occupier of that dwelling.				✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>					✓ <sup>1</sup>	✓ <sup>1</sup>	
Regulation 11 Requirement for a LA to monitor each private water supply in its area in relation to radioactive substances.				✓ <sup>1</sup>				✓ <sup>1</sup>	✓ <sup>1</sup>					
Regulation 16 Requirement for the local authority to undertake investigations and to take action in relation to unwholesome private water supplies including the service of a notice under S.80 of the Water Industries Act 1991(remedial powers of LAs in relation to private water supplies).				✓ <sup>1</sup>				✓ <sup>1</sup>	✓ <sup>1</sup>					
Regulation 17 Granting of Authorisation giving permission to supply water to a different standard provided criteria are met.								✓				✓	✓	

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference	
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD		
Regulation 18 Service, enforcement and variation and revocation of notice in respect of supplies that constitute a potential risk to human health					✓ <sup>1</sup>	✓	✓	✓					✓	✓	
Regulation 21 Power to charge fees according to Sch. 5								✓					✓	✓	Fee amount set by Service Director in accordance with Financial Procedure Rules
Power of entry afforded through the provisions of S.84 of the Water Industries Act 1991				✓	✓	✓	✓	✓					✓	✓	
<b>Products of Animal Origin (Disease Control) (England) Regulations 2008</b>															
Reg. 17 Powers of entry for authorised inspector. Also powers to: <ul style="list-style-type: none"> <li>• Require a person to detain meat; dispose of meat.</li> <li>• Carry out investigations, tests; take samples etc.</li> <li>• Mark any animal or meat for identification purposes.</li> <li>• By notice require: the marking of meat; the tracing of meat; the cleansing of premises; require the isolation of an animal etc.</li> <li>• Inspect records and take copies of them.</li> <li>• Inspect any computers or require the information to be produced in a certain form so that they can be taken away.</li> <li>• Power to take other persons as deemed necessary</li> </ul>			✓	✓	✓	✓	✓	✓	✓				✓	✓	
Reg. 20 – Power for authorised officer to take such steps as deemed necessary to ensure a requirement of these regs is met. The costs of doing so are to be met by the person			✓		✓ <sup>1</sup>	✓	✓	✓					✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Reg. 24 Confers the power for enforcement of these regs. to the LA (except in any establishment or cutting plant)					✓	✓	✓	✓				✓	✓	
<b>Products Containing Meat etc. (England) Regulations 2014</b>														
Reg. 6 Duty for the food authority to enforce the Regulations														
Reg. 7 Power for authorised officer to serve an “improvement notice” under S.10 of the Food Safety Act 1990, upon a person who is failing to comply with the requirements of regulations 4(1), (2) or regulation 5(1) of these Regulations.					✓ <sup>1</sup> Food only	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
<b>PUBLIC HEALTH (CONTROL OF DISEASE) ACT 1984 (as amended) by the Health &amp; Social Care Act 2008 (Part 2A insertion) and other legislation</b> <b>(See Appendices A &amp; B)</b>														
Part I S. 1 Duty of LA to enforce this Act								✓				✓	✓	
Part II S.13(5)(a) Power of authorised officer to enter any premises, vessel or aircraft for the purpose of executing or superintending the execution of regulations made under this section of the Act.			✓	✓	✓	✓	✓	✓				✓	✓	
Part 2A Power to apply to a Magistrate for a Part 2A order to order health measures in relation to persons; things; premises; or groups with a threat to human health from infection or contamination (Sections 45G; 45H, 45I, 45K)								✓				✓	✓	

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
<p>S. 61 Powers of entry for the ‘proper officer’ of a relevant health protection authority, for the purposes of:</p> <ul style="list-style-type: none"> <li>ascertaining whether there is, or has been any contravention of a relevant provision of this Act, or of an order made by a justice of the peace under Part 2A of this Act</li> <li>ascertaining whether or not circumstances exist which would authorise or require the relevant health protection authority to take any action, or execute any work, under such a provision or in relation to such an order;</li> <li>for the purpose of taking any action, or executing any work, authorised or required by such a provision or in relation to such an order, or by any order made under such a provision, to be taken, or executed, by the relevant health protection authority, or</li> <li>generally, for the purpose of the performance by the relevant health protection authority of their functions under such a provision in relation to such an order.</li> </ul>				✓	✓	✓	✓	✓			✓	✓	✓	
<p>S. 62 Supplementary provisions as to entry.</p> <p>Power to take other persons and such equipment and materials as may be necessary, and on leaving any unoccupied premises which he has entered by virtue of such a warrant leave them as effectively secured against trespassers as he found them.</p> <p>Power to:</p> <p>(a) search the premises,</p> <p>(b) carry out measurements and tests of the premises or of anything found on them,</p>				✓	✓	✓	✓	✓			✓	✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
(c)take and retain samples of the premises or of anything found on them, (d)inspect and take copies or extracts of any documents or records found on the premises, (e)require information stored in an electronic form and accessible from the premises to be produced in a form in which it can be taken away and in which it is visible and legible or from which it can readily be produced in a visible and legible form, and (f)seize and detain or remove anything which the officer reasonably believes to be evidence of any contravention relevant to the purpose for which entry is authorised.														
<b>PUBLIC HEALTH (INFECTIOUS DISEASES) REGULATIONS 1988</b>														
Regulation 11 Power to take measures for destroying all rats in district and preventing rats from gaining entry to buildings								✓				✓	✓	
Reg. 13 Power to enforce these regulations conferred to the LA								✓				✓	✓	
<b>PUBLIC HEALTH ACT 1936 (as amended)</b>														
S.45 Power to serve Notice requiring repair of closets					✓	✓	✓	✓				✓	✓	
S.48 Power to examine and test drains believed to be defective				✓	✓	✓	✓	✓	✓			✓	✓	
S.50 Power to serve Notice in relation to overflowing or leaking cesspools, requiring a person to execute such works as necessary to prevent the soakage and overflow of cesspools.					✓	✓	✓	✓				✓	✓	
S.78 Power to cleanse common courts and passages and to recover any expenses reasonably incurred.							✓	✓		✓		✓	✓	

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.79 Power to serve Notice requiring removal of noxious material and to remove the noxious matter should the notice not be complied with. Power to recover the expenses of any action reasonably taken to remove the noxious matter.					✓	✓	✓	✓		✓		✓	✓	
S.83 Power to serve Notice requiring cleansing of filthy or verminous premises and other works. Power of the LA to undertake the works in default and recover the expenses reasonably incurred.							✓	✓				✓	✓	
S.84 Power to cleanse or destroy filthy or verminous articles					✓	✓	✓	✓				✓	✓	
S.85 Power to cleanse filthy and verminous persons and their clothing and if they refuse, power to apply to the court for an order requiring the person and or clothing to be cleansed							✓	✓				✓	✓	
S.140 Power to apply to the court for the issue of an order to close or restrict use of water from polluted supply							✓	✓				✓	✓	
S.259, S.260 and S.261 Power to deal with ponds, ditches etc. in such a state as to be prejudicial to health or a nuisance (statutory nuisances under Part III of the Environmental Protection Act 1990). Includes executing works.							✓	✓				✓	✓	
S.264 Power to issue a notice requiring the repair maintenance and cleansing of culverts								✓	✓			✓	✓	
S.267 the provisions of the Act relates to ships and boats lying in any inland or coastal waters are subject to the jurisdiction of that local authority in which the waters are located.							✓	✓				✓	✓	
S.268 Power to deal with nuisances from tents, vans, sheds etc. including provisions relating to filthy & verminous premises being applicable and also issue of an Abatement Notice under the EPA.  Powers to make byelaws in relation to cleanliness of tents, vans and sheds.					✓	✓	✓	✓			✓	✓	✓	

Cabinet

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.269 Power of local authority to control use of moveable dwellings by licensing land to be used (campsites). Power to grant or refuse licences.												✓	✓	
S.275 Power to carry out works by agreement with owners or occupiers					✓	✓	✓	✓				✓	✓	
S.276 Power of the local authority to sell any materials if not collected by owner. Proceeds of sale to go to the owner once expenses deducted.								✓				✓	✓	
S.287 Power of authorised officer to enter premises to inspect; undertake works as permitted by the Act. Power of authorised officer to be accompanied by such person(s) as to assist.				✓	✓	✓	✓	✓				✓	✓	
S.291 Power to recover expenses from owners to be a charge on the premises and power to pay by instalments								✓				✓	✓	
<b>PUBLIC HEALTH ACT 1961</b>														
S.17 Power to repair drains etc. Power to issue notice where a drain, private sewer, water-closet, waste pipe or soil pipe is stopped -up requiring the owner or occupier to remedy the defect Power to recover costs of undertaking works.					✓	✓	✓	✓				✓	✓	
S.34 Power to issue a notice requiring the removal of rubbish. Power to remove it if not complied with.								✓				✓	✓	
S.36 Power to require vacation of premises during fumigation (in relation to filthy and verminous premises upon which a notice has been served under S.83 of PHA 1936)							✓	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.37 Prohibition of sale of verminous articles. Power to cause to be disinfected or destroyed any verminous article displayed for sale; deposited with a dealer etc. Power to recover any costs reasonably incurred.				✓	✓	✓	✓	✓			✓	✓	✓	
S. 73 The local authority may by notice require the occupier of the premises to take the steps reasonably necessary to prevent danger from any disused petrol tank or other fixed container.								✓				✓	✓	
S.74 Power to reduce number of pigeons and other birds in built up areas								✓	✓			✓	✓	
<b>REGISTRATION OF ESTABLISHMENTS (LAYING HENS) (ENGLAND) REGULATIONS 2003</b>														
Reg.6 Power of entry onto land or premises for authorised officer of the LA, for the purpose of determining any contravention of these regs.  Power to carry out all checks and examinations necessary for the enforcement of these Regulations, and in particular may examine and copy documentary or data processing material			✓			✓	✓	✓				✓	✓	
Reg. 10 Confers power for enforcement to the LA (or Sec of State)								✓				✓	✓	
<b>REGULATORY ENFORCEMENT &amp; SANCTIONS ACT 2008</b>														
S.26 LA power to accept a nomination by the Secretary of State to become a Primary Authority (PA) for a regulated person.								✓				✓	✓	
S.28 Duty of enforcing authority to notify a Primary Authority (PA) before taking any enforcement action. Powers for the PA to direct an enforcing authority not to take action.								✓				✓	✓	

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.30 Power for PA to make an inspection plan advising other enforcing authorities how an inspection should be undertaken. Power to review the inspection plan; revise or revoke it (with the consent of the Secretary of State).								✓				✓	✓	
S.31 Power of the PA to charge fees to the regulated person for the costs incurred in the exercise of its functions under this Act.								✓				✓	✓	Fee amount set by Service Director in accordance with Financial Procedure Rules
<b>REGULATION OF INVESTIGATORY POWERS ACT 2000 (AS AMENDED)</b>														
To follow Kirklees Council Policy and Procedure for Regulation of Investigatory Powers Act 2000 applications for covert surveillance														
<b>TRADE IN ANIMALS &amp; RELATED PRODUCTS REGULATIONS 2011</b>														
Reg. 19 Requirement for the enforcement authority (Council) to seize any consignment that does not comply with the import requirements from third countries.					✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓ <sup>1</sup>	
Reg. 20 Requirement for the enforcement authority to order that a consignment seized under Regulation 19 (i.e. not at Border Control Post) be retained or recalled and placed under official detention.					✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓ <sup>1</sup>	
Reg.31 Identifies the Council for the enforcement of these regulations.					✓ <sup>1</sup>	✓	✓	✓				✓	✓	
Reg. 32(3) Identifies the Council for the enforcement of products outside a Border Inspection Post (NB does not include feedstuffs and at premises to which the FSA enforces)					✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
Power to detain products not meeting requirements of the regulations in premises under the control of Customs until such time that a Customs officer can take charge of it.														
Reg. 33 Power of entry for authorised officer of the enforcement authority. Power to be accompanied by such persons and bring such equipment as necessary.			✓ <sup>1</sup>		✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
Reg. 34 Powers of authorised officers:  Power to inspect products, packaging; seals; marking; labelling and presentation and any plant or equipment used for it. Have access to and inspect and copy any documents or records; have access to, inspect and check the operation of any computer and associated apparatus used in connection with the records; require computer records to be produced in a form in which they can be taken away; seize and retain anything required for evidence; open any bundle, package, personal luggage etc. or require any person to open it and inspect the contents; take samples for analysis to verify compliance with records and/or compliance with these regulations or any condition of import.			✓ <sup>1</sup>		✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓	
<b>TRANSMISSIBLE SPONGIFORM ENCEPHALOPATHIES (ENGLAND) REGULATIONS 2018</b>														
Reg. 13 Power for LA to appoint inspectors								✓				✓	✓	
Reg. 14 Power of entry for authorised inspectors to any holding, vehicle, container, vessel or trailer. Power to take with them persons as necessary			✓		✓	✓	✓	✓				✓	✓	
Reg. 15 Powers of inspectors to:  Seize any animal, body of animal, animal protein or feeding stuffs that may contain animal protein, or milk or milk product; carry			✓		✓	✓	✓	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
out inquiries, investigations etc.; collect, pen and inspect any animal etc.; inspect any body of an animal carcase etc.; inspect any part of the holding, any equipment, facility, operation or procedure; take samples; seize and detain any cattle passport; have access to and copy records including those held on a computer etc.; inspect and check the operation of any computer/associated apparatus etc. and require any person afford assistance to inspect records on a computer and require the records to be produced in an accessible form; mark anything for identification purposes; lock or seal any container or store etc.														
Reg. 16 Power to issue a notice in relation to these regulations e.g., prohibit movement of animals; require the killing and slaughter of any animal; direct to cleanse and disinfect premises/vehicles etc.							✓	✓				✓	✓	
Reg. 17 Power to allow movement of an animal following the issue of a notice restricting movement, under the authority of a licence.							✓	✓				✓	✓	
Reg. 20 Enforcement by the local authority except for the requirements of Sch. 2 ,Sch. 7 and Sch. 8 Para 1.								✓				✓	✓	
<b>WATER INDUSTRY ACT 1991</b>														
S.77 Duty of LA to keep itself informed of water quality								✓				✓	✓	
S.78 Duty of LA to notify water undertaker and Secretary of State of unsatisfactory public supply								✓				✓	✓	
S.79 Power of LA to require water undertaker to provide a wholesome and sufficient supply of water, including to provide the water supply otherwise than in pipes.								✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.80 Remedial powers of LA to issue notice in relation to private water supply that is not wholesome (or likely not to be).					✓	✓	✓	✓				✓	✓	
S.81 Requirement to confirm certain private supply notices with Secretary of State							✓	✓				✓	✓	
S.82 Power of LA to take steps to comply with the notice issued under S. 81 and recover the costs. Power to vary or revoke private supply notices							✓	✓				✓	✓	
S.83 duty of LA to act as if a water undertaker in certain circumstances								✓				✓	✓	
S.84 Power of entry by authorised officer to premises to ascertain whether any provision relating to any water fittings, or the waste or misuse of water has been contravened. Power to carry out inspections, tests, measurements, take samples away etc. Powers of entry and to carry out inspections etc. conveyed in relation to any private supply.				✓	✓	✓	✓	✓				✓	✓	
S.85 Power to issue a notice requiring a person to furnish information				✓	✓	✓	✓	✓				✓	✓	
<b>WELFARE of ANIMALS AT TIME OF KILLING (ENGLAND) REGULATIONS 2015</b>														
Reg.34 Power to appoint inspectors for the purpose of enforcing the Regulations												✓	✓	
Reg.35 Powers to enter premises and to be accompanied by such other persons as the inspector considers necessary.			✓ <sup>1</sup>				✓ <sup>1</sup>	✓ <sup>1</sup>	✓			✓	✓	
Reg.37 Power to inspect and seize: carry out any examination, investigation or test; make any enquiries etc.; inspect and search premises; take samples from any animal carcass etc.; seize and detain any carcass etc. for further examination, investigation or testing; seize and detain any equipment or instrument for further examining, investigating or testing; seize any computers for the			✓ <sup>1</sup>				✓ <sup>1</sup>	✓ <sup>1</sup>	✓			✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
purpose of coping data; require the production of any document or record and inspect and take a copy of any document or record and required any person to provide such assistance, information, facilities or equipment as is reasonable.														
R.38 Power to serve enforcement notices and power to arrange for the notice to be complied with at the expense of the person on whom it was served. Power to withdraw or vary an enforcement notice.			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓				✓	✓	
R.40 Power of Local Authority to prosecute  *Operational Manager								✓*				✓	✓	
<b>WELFARE OF FARMED ANIMALS (ENGLAND) REGULATIONS 2007 (as amended)</b>														
Reg.8 Power for LA to prosecute for offences under these regulations  *Operational Manager								✓*				✓	✓	
<b>WEST YORKSHIRE ACT 1980</b>														
S.44 Power for LA to issue notice requiring the reduction in emissions resulting from a building operation, e.g., dust etc.					✓	✓	✓	✓				✓	✓	
S.81 Power to serve Notice re: trees impeding natural light				✓	✓	✓	✓	✓				✓	✓	
<b>ZOO LICENSING ACT 1981 and the Zoo Licensing Act 1981 (Amendment) (England and Wales) Regulations 2002</b>														
S.1 Power of LA to issue licences								✓				✓	✓	
Granting of requests for dispensations by DEFRA S.14								✓				✓	✓	
S.4 Power for the LA to grant or refuse licences and the requirements for doing so.								✓				✓	✓	

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S. 5 Power for the LA to decide on conditions to attach to a licence, with regards to relevant standards etc.								✓				✓	✓	
S.6 Power of the LA to extend existing licences and renew licences (or not renew).								✓				✓	✓	
S. 7 Power of LA to transfer licences								✓				✓	✓	
S. 10 Power for LA's Authorised Officer to conduct periodical inspections (giving 28 days' notice). Power to be accompanied by veterinary surgeon/practitioner; power to require the production of records kept in pursuance of the conditions of the licence.			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓	✓	
S. 11 Power for LA's Authorised Officer to conduct special inspection (no period of notice required)			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓	✓	
S.11A Power for LA's Authorised Officer to conduct special inspection of closed zoos (no period of notice required). Power to require the production of records			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓ <sup>1</sup>				✓	✓	
S.12 Power of authorised officer to conduct informal inspections			✓ <sup>1</sup>				✓ <sup>1</sup>	✓ <sup>1</sup>				✓	✓	
S.15 Power to charge fees associated with the grant, renewal, alteration or transfer of licences. Also to charge fees for reasonable expenses incurred in connection with inspections; in exercising the powers to make directions under this Act; in exercising its function in relation to Sections: 16E(2); 16E(4); 16E(7); 16E(8); 16F(7)													✓	Fee amount set by Service Director in accordance with Financial Procedure Rules
S.16 Power to alter licences							✓ <sup>1</sup>	✓ <sup>1</sup>				✓ <sup>1</sup>	✓ <sup>1</sup>	
S.16A Power to issue a direction in relation to non-compliance with licence conditions (and revoke such a direction).			✓ <sup>1</sup>				✓ <sup>1</sup>	✓ <sup>1</sup>				✓	✓	
S.16B Power to make a Zoo Closure Direction in relation to licence conditions etc.							✓ <sup>1</sup>	✓				✓	✓	

Directorate for Place (Delegation Scheme for Environmental Health)

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
S.16C Power to make a Zoo Closure Direction in relation to a zoo without a licence.							✓ <sup>1</sup>	✓				✓	✓	
S.16E Power to approve a plan for the proposed arrangements for the future care or, or disposal of animals following the issue of a Zoo Closure Directions. Power for the LA to make directions in relation to the welfare of animals following the issue of a Zoo Closure Direction. Power to vary or revoke such a direction.							✓ <sup>1</sup>	✓				✓	✓	
S.16F Power for LA to sell or otherwise dispose of animals where welfare issues not met following issue of a Zoo Closure Notice. Power to deduct reasonable expenses associated with this, from the proceeds of the sale of of animals.								✓				✓	✓	
S.16G Power of entry of authorised officer in relation to Ss.16E & F			✓ <sup>1</sup>			✓ <sup>1</sup>	✓ <sup>1</sup>	✓				✓	✓	
S.17 Power to revoke a licence for a zoo.								✓				✓	✓	
<b>ZOONOSES (MONITORING) (ENGLAND) REGULATIONS 2007</b>														
Reg. 4 Power of entry to any premises on which any animal or animal feeding stuff is, or has been, for the purpose of the authorised inspector to:  Identify whether zoonoses listed in the schedule have been present etc. and for the enforcement of these regulations.			✓			✓	✓	✓			✓	✓	✓	
Reg. 5 Powers of inspectors: <ul style="list-style-type: none"> <li>• carry out inquiries, examinations, tests, take samples</li> <li>• examine any records in whatever form and take copies or printouts of those records.</li> <li>• mark for identification purposes, any animal, animal carcass or thing</li> <li>• make inquiries of any person;</li> </ul>			✓			✓	✓	✓			✓	✓	✓	

**Directorate for Place (Delegation Scheme for Environmental Health)**

Responsibility	Officer													Procedure Reference
	A	B	C	D	E	F	G	H	I	J	K	HOS	SD	
<ul style="list-style-type: none"> <li>place any equipment (including any trap) on the premises for the purpose of capturing or monitoring any wild animal or for detecting any micro-organism;</li> <li>take with him any person, vehicle or equipment that he considers necessary for the execution of these Regulations;</li> <li></li> </ul>														
Reg. 8 Power to enforce these regulations conferred to the LA			✓			✓	✓	✓				✓	✓	

**Key to authorised officers:**

<b>Responsibility</b>	<b>Post Title / Section</b>
Officer A	Environment & Community Support Officer
Officer B	Environment & Greenspace Enforcement Officer / Public Space Protection Officer
Officer C	Animal Health Officer
Officer D	Appropriate E & CC Technical Officer, Environmental Monitoring Officer, BSc Environmental Health Apprentice & Environmental Health Student, Pest Control Technical Officer
Officer E	Appropriate E & CC Senior Technical Officer
Officer F	Environmental Health Officer EHO
Officer G	Senior Environmental Health Officer SEHO/Principal Technical Officer in Environmental Health
Officer H	Public Protection (Environmental Health) Group Leader/Appropriate E & CC Operational Manager
Officer I	Appropriate E & CC Service Delivery Manager / Principal Engineer / Team Leader / Principal Technical Officer PTO (Pest Control)
Officer J	Senior Enforcement Officer
Officer K	Complex Enforcement Officer
HOS	Head of Service
SD	Service/Executive Director
<p>✓<sup>1</sup> Trained, competent and authorised under this legislation                      ✓<sup>2</sup> With SEHO authorisation                      ✓<sup>3</sup> Only when Night Time Noise Service or standby officer                      ✓<sup>4</sup> With EHGL Authorisation                      ✓<sup>5</sup> Pest Control Technical Officer only in relation to issues relating to pests</p> <p>NO/SA Named Officer/Specific Appointment                      NTNS Night Time Noise Service</p>	
<p><b>Procedure Reference</b></p> <p>Note i - Chief Executive                      Note ii - Refer through to Kirklees Anti-Social Behaviour Partnership                      Note iii - Only the Police can obtain a warrant to enter a private place to seize a Section 1 dog</p>	

In addition to the above officers also have the Authority to:

- present the LPA's case (whether written representations, at informal hearing or public inquiry) on appeals and references to the Secretary of State.
- to present the LPA's case on appeals to the Magistrates' Court against planning/PROW/Highways related issues.
- to present the LHA's case in relation to prosecutions in the Magistrates' Court.

<sup>1</sup> Referred to Planning Area Sub-Committee following request from the Sub-Committee Chair, ward member or where there is not majority support for the proposed action by the three ward members